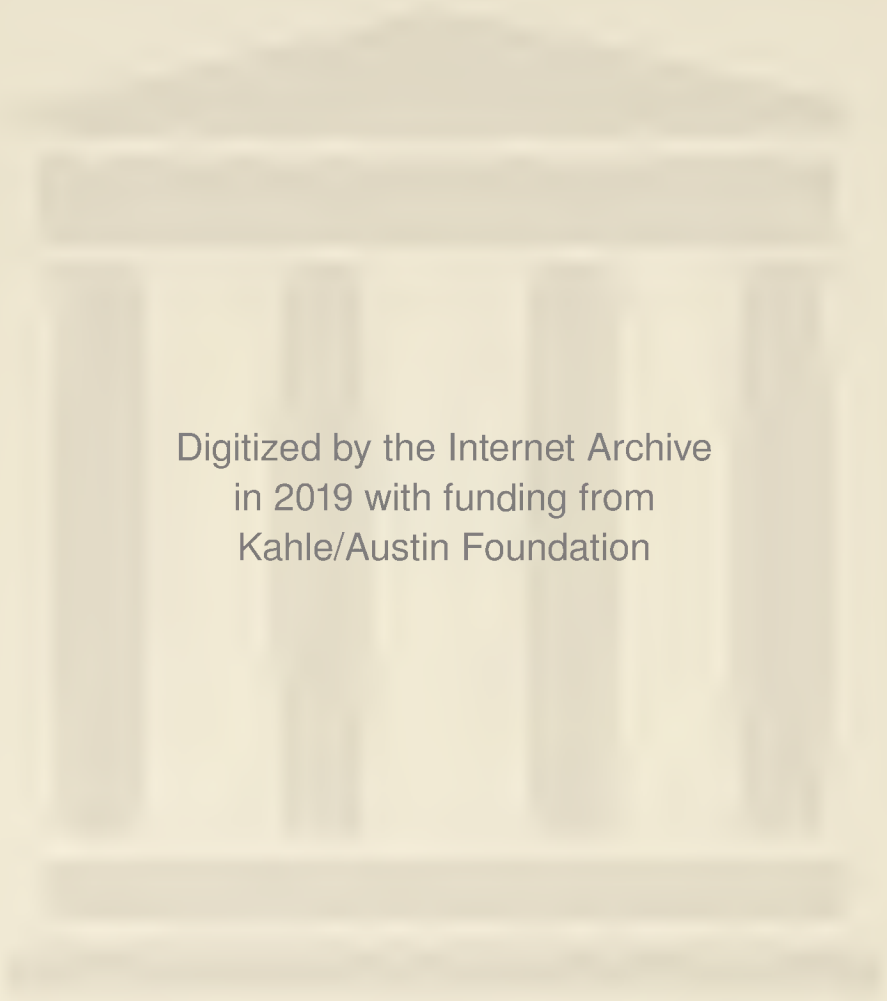


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United States
Diplomatic Papers
1945

Volume II
General: Political
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PREFACE

This volume was prepared under the direct supervision of E. Ralph Perkins, formerly Chief of the Foreign Relations Division, now headed by S. Everett Gleason. The compilers of the volume were N. O. Sappington, John P. Glennon, George O. Kent, William Slany, the late Gustave A. Nuernberger, and former staff members George H. Dengler and John Rison Jones, Jr.

The Publishing and Reproduction Services Division (Jerome H. Perlmutter, Chief) was responsible for the technical editing of the volume. This function was performed in the Historical Editing Section under the direct supervision of Elizabeth A. Vary, Chief, and Ouida J. Ward, Assistant Chief.

WILLIAM M. FRANKLIN
*Director, Historical Office,
Bureau of Public Affairs*

AUGUST 28, 1967

PRINCIPLES FOR THE COMPILATION AND EDITING OF "FOREIGN RELATIONS"

The principles which guide the compilation and editing of *Foreign Relations* are stated in Department of State Regulation 1350 of June 15, 1961, a revision of the order approved on March 26, 1925, by Mr. Frank B. Kellogg, then Secretary of State. The text of the current regulation is printed below:

1350 DOCUMENTARY RECORD OF AMERICAN DIPLOMACY

1351 *Scope of Documentation*

The publication *Foreign Relations of the United States, Diplomatic Papers*, constitutes the official record of the foreign policy of the United States. These volumes include, subject to necessary security considerations, all documents needed to give a comprehensive record of the major foreign policy decisions within the range of the Department of State's responsibilities, together with appropriate materials concerning the facts which contributed to the formulation of policies. When further material is needed to supplement the documentation in the Department's files for a proper understanding of the relevant policies of the United States, such papers should be obtained from other Government agencies.

1352 *Editorial Preparation*

The basic documentary diplomatic record to be printed in *Foreign Relations of the United States, Diplomatic Papers*, shall be edited by the Historical Office, Bureau of Public Affairs of the Department of State. The editing of the record shall be guided by the principles of historical objectivity. There shall be no alteration of the text, no deletions without indicating where in the text the deletion is made, and no omission of facts which were of major importance in reaching a decision. Nothing shall be omitted for the purpose of concealing or glossing over what might be regarded by some as a defect of policy. However, certain omissions of documents are permissible for the following reasons:

- a. To avoid publication of matters which would tend to impede current diplomatic negotiations or other business.
- b. To condense the record and avoid repetition of needless details.
- c. To preserve the confidence reposed in the Department by individuals and by foreign governments.
- d. To avoid giving needless offense to other nationalities or individuals.
- e. To eliminate personal opinions presented in dispatches and not acted upon by the Department. To this consideration there is one qualification—in connection with major decisions it is desirable, where possible, to show the alternatives presented to the Department before the decision was made.

1353 *Clearance*

To obtain appropriate clearances of material to be published in *Foreign Relations of the United States, Diplomatic Papers*, the Historical Office shall:

- a. Refer to the appropriate policy offices of the Department and of other agencies of the Government such papers as appear to require policy clearance.
- b. Refer to the appropriate foreign governments requests for permission to print as part of the diplomatic correspondence of the United States those previously unpublished documents which were originated by the foreign governments.

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ACQUISITION OF MATERIALS FOR USE IN THE DEVELOPMENT OF THE ATOMIC BOMB; EFFORTS TO ESTABLISH A SYSTEM OF INTERNATIONAL CONTROL OF ATOMIC ENERGY

[For documents relating to earlier discussions among high officials of the United States, the United Kingdom, and Canada with regard to the development and control of atomic energy, see the subsequent volumes of this series containing documents on the conferences of Heads of Governments held at Washington, Casablanca, and Quebec in the years 1941-1944. A detailed narrative account is given in Richard G. Hewlett and Oscar E. Anderson, Jr., *The New World, 1939/1946*, which is volume I of *A History of the United States Atomic Energy Commission* (University Park, Pa., The Pennsylvania State University Press, 1962), hereinafter cited as *The New World, 1939/1946*.

President Roosevelt and Prime Minister Churchill had agreed at Hyde Park, New York, on September 18, 1944, that full collaboration between the United States and the British Government in developing TUBE ALLOYS, i.e., atomic energy, for military and commercial purposes should continue after the defeat of Japan unless and until terminated by joint agreement. During the remaining months of 1944 various discussions were held among United States officials, and occasionally with British officials as well, on such subjects as postwar arrangements, security, disclosure of information, international control, patents, and relations with other governments. Secretary of State Stettinius and Assistant Secretary James C. Dunn were informed of the atomic project in January 1945 (*The New World, 1939/1946*, pages 322-335).]

SCI¹ Files*Minutes of a Meeting of the Combined Policy Committee*²

[Ex+tracts]

[WASHINGTON,] January 22, 1945.

Present:

Members: The Secretary of War,³ ChairmanDr. Vannevar Bush⁴Sir Ronald I. Campbell⁵Mr. C. D. Howe⁶Field Marshal Sir Henry Maitland Wilson⁷By Invitation: Sir James Chadwick⁸Major General L. R. Groves⁹Joint Secretaries: Mr. Harvey H. Bundy¹⁰Dr. William L. Webster¹¹5. *The French Situation.*

The Chairman made the following statement:

"Sir John Anderson¹² has informed us that there is grave danger that the French, through Mr. Joliot,¹³ or possibly through De Gaulle¹⁴ instigated by Joliot, may press for immediate participation in the T.A.¹⁵ Project. It is not known whether this request will include only industrial aspects or whether it will also be for military participation.

"Neither the United States nor Great Britain want any question about this project raised at this time with France and Sir John Anderson thinks some assurance to Joliot will have to be given in order to bring about a postponement of the issue and thereby protect against

¹ Office of International Scientific Affairs, Department of State.² This Committee was established under the terms of the Roosevelt-Churchill "Articles of Agreement governing collaboration between the authorities of the U.S.A. and the U.K. in the matter of TUBE ALLOYS" (i.e., atomic energy research and development) signed at Quebec, August 19, 1943 (Department of State, Treaties and Other International Acts Series (TIAS) No. 2993; United States Treaties and Other International Agreements (UST), vol. 5, p. 1114).³ Henry L. Stimson.⁴ Director, Office of Scientific Research and Development.⁵ British Minister, Washington.⁶ Canadian Minister of Munitions and Supply.⁷ Head, British Staff Mission, Washington.⁸ Chief Scientific Adviser to the British Government on Atomic Matters.⁹ Commanding General, MANHATTAN ENGINEER DISTRICT (code name for the atomic bomb development program).¹⁰ Special Assistant to the Secretary of War.¹¹ Of the Office of Scientific Research and Development.¹² British Chancellor of the Exchequer.¹³ Jean Frédéric Joliot, Director, French National Center of Scientific Research.¹⁴ Gen. Charles de Gaulle, President of the Council of Ministers, Provisional Government of the French Republic.¹⁵ TUBE ALLOYS.

political explosion by the French with or without collaboration with the Russians, with possible danger to security.

"I understand that it has now been suggested through Sir Ronald Campbell to Sir John Anderson that he make a statement along the following lines to Mr. Joliot:

'Since it is inadvisable to attempt detailed discussions as to arrangements with France in the field of nuclear sources of power until the termination of hostilities, the Government of the United Kingdom is prepared, in view of this postponement, to assure the French Government that upon the termination of hostilities it will discuss further with the French Government fair treatment of any claims of the French Government relating to commercial or industrial applications of nuclear sources of power.'

"I have stated to Sir Ronald Campbell that in view of the fact that all contacts with the French have been with the British, I am not prepared to recommend to the President that the United States make any commitment now to the French in regard to these matters.

"I understand the British authorities feel that the treatment of the French relation to this whole project is very much affected by certain inventions and patent rights which the French claim and on which the French have been filing claims in various places throughout the world. I should appreciate it if Sir Ronald Campbell would state more fully this phase of the question."

Sir Ronald Campbell then made the following observations:

"One of the factors which may have to be borne in mind in considering the French problem is the fact that the French Government hold certain patents or patent applications in the T.A. field to which they attach considerable importance.

"In 1942 the opinion of legal counsel was sought in London on the bearing of patent applications known as A and B on T.A. development. It seems probable that A and B would be held valid in England and, if valid, that they would be master patents controlling the working of many later patents.

"This conclusion does not necessarily hold for the United States, owing to the differences in the patent practice of the two countries.

"If the above estimate of the strength of the French applications A and B is correct and if importance is attached to the building up of a strong patent position in the T.A. field, it seems desirable that the British and U.S. Governments should acquire control over these two patents in all countries in which the Governments are interested in the development or control of the T.A. project.

"It might be advisable to begin now to offer to negotiate an agreement on patents, with the object of acquiring for the British, United States and Canadian Governments jointly the world rights, outside France and the French Empire, in patents arising from the French applications. The question of what would constitute an equitable patents agreement, or one which would satisfy the French, is not easy to answer. It might require the assignment to the French Government of exclusive rights for France and the French Empire in some,

or even all, Nuclear Pile inventions within the powers of disposal of the three Governments and it might involve the disclosure of information contained in such United Kingdom and United States patents. This is a matter which would require very careful examination.

"Any commercial or industrial rights arising from the world rights ceded to the three Governments under such a patents agreement would be disposed of in accordance with the Quebec Agreement.

"The advantages of an agreement on patents would be firstly, and chiefly, to convince the French Government that it could safely leave the T.A. arrangement to follow its present course of development, so avoiding a demand for immediate discussion and settlement of policy between them and the Governments concerned or seeking satisfaction elsewhere, and, secondly, to lead Joliot to desist from pressing his patent applications all over the world as he is now doing, with some danger to the security of the T.A. project.

"The Governments of Great Britain, the United States and Canada have taken the view, as far as their own countries are concerned, that T.A. is not a suitable project for commercial exploitation for private profit and all patent applications taken out in the T.A. field in these countries are allocated to the respective Governments.

"It might be desirable, in order to prevent private exploitation in other countries of the world and to keep T.A. development under suitable supervision and control, to try to acquire all rights in the French patent applications outside France and the French Empire."

Dr. Bush expressed serious doubts about the importance of these French patents to the future of the project as a whole, partly because ownership of patents would not prevent development under other Governments, and partly because high cost would probably constitute a more effective barrier to the development of T.A. for ordinary commercial purposes. He pointed out that American active desire to obtain control by the U.S. Government of patents, relating to this project, had been based largely on the wish to avoid difficulties which would arise inside the U.S.A. if a profusion of patents remained in private hands. At a later stage, this motive was reinforced by the thought the Government control of patents would facilitate agreements between the U.S. and other Governments which might emerge. Dr. Bush reported that the U.S. Government authorities concerned were paying careful attention to patents held independently within the U.S.A. but did not feel that action on these could usefully be pressed beyond what was "reasonable."

With reference to this French situation, the Chairman, referring to Article III of the Quebec Agreement, stated that high policy on the disclosure of information to other Governments was a matter for the determination of the signatories of that Agreement. An extended discussion took place during which it was accepted that the present action of the Committee should be limited to security aspects. This discussion necessitated a consideration of the Committee's com-

petence on matters in which are interwoven (as in the case of contacts with the French Government) political as well as technical and security issues. While it is not contemplated that the C.P.C.¹⁶ will take formal action outside its terms of reference or the special competence of its members, it is expected that important problems arising from the project and affecting C.P.C. countries will be discussed at Combined Policy Committee meetings, even though not requiring formal action by the Committee, in order that the members of this Committee may present such views as may be pertinent, and that the individual members of the Committee may be in a position to report to their respective Governments views expressed by the members.

The Committee agreed that negotiations with the French regarding patent rights would involve serious danger of disclosure of information diminishing the general security of and increasing the risk of sabotage to the existing co-operative project already committed to its charge.

It was finally decided to record as the sense of the meeting that the Committee noted the dangers reported by Sir John Anderson which might arise from the French pressing for consideration of their interest in the T.A. Project. The Committee was also unanimously of the opinion that the proposed statement which, as the Chairman had reported, might be made by Sir John Anderson to Professor Joliot, amended by the insertion of the words "with the Axis powers" after the two occurrences of the word "hostilities" would not be objectionable from the standpoint of security. The Committee, however, was unanimously of the opinion that any more extensive discussions of negotiations with the French as to their interest in the project would be undesirable from a security standpoint.

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HARVEY H. BUNDY
WILLIAM L. WEBSTER

SCI Files

Memorandum by the Commanding General, Manhattan Engineer District (Groves)

[WASHINGTON,] 23 February, 1945.

Major Vance,¹⁷ the officer who accompanied the Secretary of State on his visit to Rio de Janeiro, made the following report:

1. The discussions between Secretary Stettinius and President Vargas took place on 17 February 1945 in the presence of Senhora Elvira

¹⁶ Combined Policy Committee.

¹⁷ Maj. John E. Vance, on the Staff of General Groves.

Amaral Peixoto, the President's daughter, (who acted as interpreter) and Senhor Leao Velloso, the acting Brazilian Foreign Minister. A wide variety of subjects was discussed by the Secretary and President Vargas prior to the mention of thorium. When this particular subject was brought up the Secretary brought Major Vance into the meeting.

2. The Secretary based his approach on the following points as we had agreed with the British:

a. The approach should be limited to paving the way for future negotiations and to securing optional control of the situation.

b. It would be unwise at this time to make any definite agreement as to prices and quantities.

c. All that was desired was an understanding through conversations that Brazil would agree not to sell to others without our consent and to sell to us on a reasonable basis both as to price and quantity. Terms would be agreed upon later.

3. The Secretary emphasized the desirability and the advantages of close cooperation between the United States and Brazil after the war as well as at present. After some discussion of the particular needs of Brazil for materials which could be made available by the United States, the Secretary stated that the United States was interested in maintaining a supply of monazite, the carrier of thorium, for industrial purposes. He pointed out that during the past five years the United States had purchased the entire Brazilian export of monazite sands and that India might be expected to dominate the market completely in the future, owing to lower labor costs in that country and to the higher grade of the Indian product. In keeping, however, with our general policy of buying within the Hemisphere, we would like to enter into negotiations leading to a possible continuation of our purchases of the Brazilian exports of monazite and implied we wanted all of their exports. Neither price nor definite quantities were mentioned.

4. President Vargas replied that Brazil had already entered into several agreements to provide the United States with strategic materials of various types and that the Brazilian government stood ready to continue that policy. President Vargas suggested that negotiations could be carried out with Senhor Valentim F. Bouças (Senhor Bouças is the Director of the Brazilian Commission to Control the Washington Agreements.) on this subject and that the discussions could be initiated in Mexico City if we desired. President Vargas stipulated that any agreement would have to be approved by his government before taking effect.

5. The Secretary then summed up the conversation by saying that he understood it would be agreeable to the Brazilian government if

our representatives discussed with Senhor Bouças the possibility of arriving at an optional agreement to purchase the Brazilian monazite production. President Vargas concurred.

L. R. GROVES
Major General, U.S.A.

SCI Files

Minutes of a Meeting of the Combined Policy Committee

[Extracts]

[WASHINGTON,] March 8, 1945.

Present:

Members: The Secretary of War, Chairman
Dr. James B. Conant¹⁸
Field Marshal Sir Henry Maitland Wilson
Dean C. J. Mackenzie,¹⁹ representing Mr. C. D. Howe

By Invitation: The Right Honorable The Earl of Halifax²⁰
Sir James Chadwick
Major General L. R. Groves

Joint Secretaries: Mr. Harvey H. Bundy
Dr. W. L. Webster
Mr. D. H. F. Rickett²¹

[3.] (e) *Action in Brazil.*

The Committee had before them a memorandum²² by the Chairman of the Trust²³ submitting a report by Major Vance who had been present with Secretary Stettinius during his discussion with President Vargas on February 17th.

As a result of this discussion which, as agreed with the United Kingdom Government, had been of an exploratory character only, President Vargas had said that he would be willing for further negotiations to take place between the United States and the Brazilian

¹⁸ Chairman of the National Defense Research Committee.

¹⁹ Chalmers J. Mackenzie, President of the Canadian National Research Council.

²⁰ British Ambassador.

²¹ Denis H. F. Rickett, Personal Assistant to Sir John Anderson.

²² *Supra.*

²³ Reference is to the Combined Development Trust, of which General Groves was Chairman. This agency was established by the Agreement and Declaration of Trust, signed by President Roosevelt and Prime Minister Churchill, June 13, 1944; for text, see *Foreign Relations*, 1944, vol. II, p. 1026. The Combined Development Trust was to operate under the direction of the Combined Policy Committee; its main function was to secure control and insure development of uranium and thorium supplies located outside the jurisdiction of the United States, the United Kingdom, the Dominions, India, and Burma.

Governments with regard to the granting of an option to the United States Government to purchase Brazilian production of thorium.

The Committee:—

Took note of this report and agreed to discuss further the control of thorium supplies in the next item of their agenda. (See conclusion 4 (b) below.)

4. *Supplies and Requirements of Raw Materials.*

The Committee had before them the following papers:

Two memoranda, dated February 3rd and March 3rd ²⁴ respectively giving the views of Sir John Anderson on supplies and requirements of raw materials for the project.

A memorandum by General Groves to the Secretary of War, dated March 7th, ²⁵ commenting on Sir John Anderson's views.

(a) *Uranium.*

Briefly summarized, Sir John Anderson's views were:

(1) that the deposits in the Belgian Congo should be exploited as rapidly as possible and the material, both of high grade and low grade, removed to safe territory;

(2) a program of exploration should be instituted to decide what were the ultimate resources in the Belgian Congo;

(3) the Trust had recommended that supplies in North America should be conserved so far as possible. This raised the question whether Canadian production should be maintained at a high level;

(4) the information service initiated by the Trust should be maintained at a high level of efficiency;

(5) commercial action should be taken quietly wherever opportunity offered to obtain control of minor sources of supply but no attempt should be made to cover this by political agreement.

The memorandum by General Groves pointed out that while Sir John Anderson had estimated the annual needs of North America for uranium at 600 tons, the present United States estimate for the next five years, based on experience so far obtained and as calculated for the plants now in operation or being completed, was 2000 to 2400 tons of uranium oxide per annum.

With reference to (4) of Sir John Anderson's views summarized above, it was explained that much fuller information was needed to discover the location of uranium deposits throughout the world, particularly those of low grade ore.

The Committee:—

Took note of Sir John Anderson's views on requirements and supplies of uranium as summarized above which were in accordance with those of the U. S. authorities. Action by the Trust on these lines in the

²⁴ Neither printed.

²⁵ Not printed.

areas for which it was responsible was accordingly approved in principle by the Committee.

(b) *Thorium.*

The Committee considered what further action should be taken to follow up the preliminary approach which had been made to the Brazilian Government as reported in conclusion 3 (e) above.

It was noted that while in Sir John Anderson's view it seemed clear that really useful action to deny supplies of thorium to other countries was not possible, it was equally clear that if such action was to be attempted at all it should be taken quickly. Sir John Anderson had, however, assumed that the need of the cooperating Governments for large quantities of thorium in addition to or instead of the large quantities of uranium already secured had not been established.

On this point the Committee noted that the latest experimental data, while still incomplete, gave every promise that thorium would be of great use and that once the reaction had started it could be continued on a large scale without the use of further uranium.

The Committee were also reminded that while the extent of world supplies of thorium was unknown, the cost of purchasing the whole pre-war output of Brazil would be negligible in comparison with the general scale of expenditure on the project. Any objections to such action, therefore, must be based on considerations of security.

In a letter to the Chairman of the Committee from the Chairman of the Trust, dated March 8th,²⁶ the Combined Policy Committee were asked to give guidance to the Trust as to the importance of acquiring or controlling supplies of thorium. The policy adopted in regard to Brazil would necessarily determine the line on which action should be taken to deal with supplies in India and the Netherlands East Indies, the other two large sources of supply. The letter proposed that an executive agreement on thorium between the Governments of the United States of America and Brazil should be negotiated in the near future which would provide for control of exports of thorium and for information to be furnished in regard to stock piles and exploration of deposits. The United Kingdom would probably not be a formal party to this agreement which might be based on the present relations existing between the United States and Brazil. In this event the equal participation of the United Kingdom and the United States in all rights and obligations under the agreement should be recorded formally presumably by an exchange of letters between the two Governments or in the Minutes of the Combined Policy Committee or the Combined Development Trust. In any case there would be full consultation between the Secretary of War and the Ambassador and their representatives at every stage in the negotiations. Careful consid-

²⁶ Not printed.

eration should be given to the diplomatic and commercial procedure to be followed.

There was general agreement that action on these lines in regard to Brazil was desirable. This raised the further question of the steps to be taken in respect to Travancore and the Netherlands East Indies.

After a full discussion the Committee:—

(a) Agreed that the Trust should be directed to draw up the principal provisions of a proposed agreement between the United States and Brazilian Governments under which the United States Government would acquire certain thorium-bearing sands from Brazil, while the Brazilian Government would agree not to sell any thorium-bearing sands to any other country without consulting with the United States Government. The equal interest of the United Kingdom Government in this agreement should be recorded in some appropriate manner.

(b) Agreed that the Trust should submit recommendations regarding the procedure to be followed in negotiating this agreement which would then be discussed between the Secretary of War and the British Ambassador and their representatives.

(c) Agreed that when a political agreement had been negotiated with the Brazilian Government as indicated in (a) and (b) above, it would be for the Combined Development Trust to arrange for the negotiation of suitable contracts for the purchase of thorium from the Brazilians.

(d) Agreed to recommend that the United Kingdom Government should take steps to secure that exports of thorium from Travancore should be controlled and to secure that the supply should be available to the two Governments. These steps should be so timed that control could be put into effect and supplies assured upon a satisfactory basis as soon as the negotiations with the Brazilian Government had been concluded.

(e) Agreed that the Combined Development Trust should review as rapidly as possible the information available on thorium deposits in the Netherlands East Indies and should report the general result of this inquiry to the members of the Combined Policy Committee. Should these deposits be found to be of substantial importance, arrangements should be made between the United States and the United Kingdom members of the Committee for negotiations to be opened with the Netherlands Government with a view to securing control of these deposits.

5. *Relations With the French.*

(a) *Position of the French Government.*

Lord Halifax informed the Committee that the Chancellor of the Exchequer had had a conversation with M. Joliot on February 23rd

in London. The Chancellor had been away from London for a few days after this meeting and Lord Halifax had not yet received a full report of it. From what he had heard, however, it appeared that it had passed off in general satisfactorily.²⁷

The Committee:—

Took note of this information.

HARVEY H. BUNDY

WILLIAM L. WEBSTER

D. H. F. RICKETT

[On March 15, 1945, Secretary of War Stimson spoke to President Roosevelt about the status of atomic research and development and the need to decide between (a) an attempt at Anglo-American control through secrecy and (b) an international effort based on free interchange of scientific information and free access to the laboratories of the world. Roosevelt agreed that the matter must be decided before the first bomb was used, but he died on April 12 without having taken further action (*The New World, 1939/1946*, page 340).

On April 25 Stimson and Groves presented to President Truman two memoranda, one pointing out the important implications of the bomb for international relations, the other describing the genesis and current status of the atomic project. After further discussions Stimson saw the President again on May 2 and completed arrangements for the appointment of an advisory group, which came to be known as the "Interim Committee", to recommend early steps with regard to postwar policies and relations with other governments. Stimson served as Chairman. Assistant Secretary of State William L. Clayton was one of the members, and James F. Byrnes soon joined the group as a special representative of the President (*The New World, 1939/1946*, pages 342-346).

During May and June 1945 the principal civil and military officials of the United States, and their scientific advisers, held various meetings to discuss atomic developments, particularly with regard to (a) possible use of the atomic bomb against Japan, (b) the question of informing the Soviet Union, (c) domestic legislation, and (d) pos-

²⁷ A record of the meeting between Anderson and Joliot, authorship not indicated, is in the Department of State files. According to this document, Joliot indicated that the Russians had been approached to ascertain whether they were interested in information on atomic energy; they said that they were, but, when they asked what had been done so far, were told that no information could be given. The memorandum concluded by saying that it was Anderson's impression that Joliot would most likely not take drastic action in the near future, but that he had made it clear to the Chancellor that France would turn to the Soviet Union unless admitted to collaboration by the United States and Great Britain on atomic energy. (Files of S/AE, the Special Assistant to the Secretary of State for Atomic Energy Matters)

sible measures of international control (*The New World*, 1939/1946, pages 347-371).]

SCI Files

Minutes of a Meeting of the Combined Policy Committee

[Extracts]

[WASHINGTON,] July 4, 1945.

Present:

Members: The Secretary of War, Chairman
Field Marshal Sir Henry Maitland Wilson
The Hon. C. D. Howe
Dr. Vannevar Bush

By Invitation: The Right Hon. The Earl of Halifax
Sir James Chadwick
Major General L. R. Groves
Mr. George Harrison ²⁸

Joint Secretaries: Mr. Harvey H. Bundy
Mr. Roger Makins ²⁹

3. *Use of Weapon Against Third Parties.*

FIELD MARSHAL WILSON stated that the British Government concurred in the use of the T. A. weapon against Japan. He added that the Prime Minister might wish to discuss this matter with the President at the forthcoming meeting in Berlin.³⁰

The Committee:—Took note that the Governments of the United Kingdom and the United States had agreed that T. A. weapons should be used by the United States against Japan, the agreement of the British Government having been communicated by Field Marshal Sir Henry Maitland Wilson.

4. *Disclosure of Information by the Two Governments on the Use of the Weapon.*

THE CHAIRMAN said there were two conclusions:

1. The scientific principle of the weapon would inevitably be known as soon as it is used, and other countries would understand that one of three or four processes had been employed.

²⁸ Special Consultant to the Secretary of War.

²⁹ British Minister in Washington.

³⁰ Reference is to the Potsdam Conference, July 16–August 2, 1945; for specific references to documentation on this subject, see *Foreign Relations, The Conference of Berlin (The Potsdam Conference)*, 1945, vol. I, Index, entries under Japan, p. 1072; *ibid.*, vol. II, Index, entries under Atomic energy, p. 1604, and Japan, p. 1623. (This publication is hereinafter referred to as *Conference of Berlin (Potsdam)*.)

2. The technical and mechanical difficulties encountered in the production of the weapon and the methods by which they have been overcome need not and should not be disclosed.

LORD HALIFAX said that the greater the amount of information which was disclosed to other countries, the less inducement there might be for them to agree to measures of international control, should we ever desire to suggest them.

THE CHAIRMAN said he was thinking of an earlier period, viz., the forthcoming meeting with Stalin.³¹ His own opinion had been very much influenced by the probable use within a few weeks after the meeting. If nothing was said at this meeting about the T. A. weapon, its subsequent early use might have a serious effect on the relations of frankness between the three great Allies. He had therefore advised the President to watch the atmosphere at the meeting. If mutual frankness on other questions was found to be real and satisfactory, then the President might say that work was being done on the development of atomic fission for war purposes; that good progress had been made; and that an attempt to use a weapon would be made shortly, though it was not certain that it would succeed. If it did succeed, it would be necessary for a discussion to be held on the best method of handling the development in the interests of world peace and not for destruction. If Stalin pressed for immediate disclosure the President might say that he was not prepared to take the matter further at the present time. The Chairman added that the knowledge of the large deposits in Sweden did not cause him to modify his advice to the President.

LORD HALIFAX said that he would propose to inform Sir John Anderson of what Mr. Stimson had said.

THE CHAIRMAN agreed.

6. *Allocation of Material.*

MR. BUNDY said that the supplies of material from the Belgian Congo received by the Trust,³² as well as some captured material which had been turned over to the Trust, were on their way to the United States, but it was appropriate that the position in regard to the allocation of material should be on record.

LORD HALIFAX observed that the effect of the decision, with which the Chancellor of the Exchequer entirely agreed, to allocate to the United States all the material which could be used in the American plants for the production of weapons against Japan, was that at the

³¹ Generalissimo Iosif Vissarionovich Stalin, Chairman, Council of People's Commissars of the Soviet Union.

³² For text of the Memorandum of Agreement, September 26, 1944, between the United States, the United Kingdom, and Belgium relating to this subject, see *Foreign Relations*, 1944, vol. II, p. 1029.

end of the war the United States would have a stock of weapons and of material in and awaiting process, while the United Kingdom would have no raw material except what it could secure by release at that date from Trust purchases. This was a position which caused the Chancellor some concern in relation to Parliament and public opinion and he desired that his position in the matter should be clearly understood. He hoped that when the time came for allocation of material for purposes other than the production of material for the present war, all relevant factors would be taken into account.

After further discussion the Committee:—

Determined that while the war lasts all uranium supplies received by the Combined Development Trust for the joint account of the United States and the United Kingdom should be allocated to the United States Government for the production of weapons for use against the common enemy. The Committee's attention having been called to the fact that this policy will leave Great Britain without any reserve of supplies of this material for future use, the Committee noted this statement of the British members and agreed that insofar as the material received by the Trust exceeds the quantity required for the production of weapons against the common enemy in the present war it should be held by the Combined Development Trust to be disposed of or otherwise dealt with in accordance with paragraph 3(1) of the Agreement of 13th June 1944,³³ and that in making future allocations all relevant factors should be reviewed.

HARVEY H. BUNDY
ROGER MAKINS

S/AE Files

Memorandum by Mr. S. Maurice McAshan, Jr., and Colonel John Lansdale, on the Staff of the Commanding General, Manhattan Engineer District (Groves)

[RIO DE JANEIRO,] July 10, 1945.

REPORT ON NEGOTIATIONS IN RIO DE JANEIRO,
JUNE 27–JULY 10, 1945

1. McAshan, Lee,³⁴ Vance and Lansdale had lunch with Bouças at his office on 27 June 1945. We did not broach the subject of the pro-

³³ See footnote 23, p. 7. Paragraph 3(1) of the Agreement read as follows: "The Trust shall carry out its functions under the direction and guidance of the Combined Policy Committee, and as its agent, and all uranium and thorium and all uranium and thorium ores and supplies and other property acquired by the Trust shall be held by it in trust for the Two Governments jointly, and disposed of or otherwise dealt with in accordance with the direction of the Combined Policy Committee."

³⁴ Frank Lee, member of the British Treasury delegation, Washington.

posed discussions because we had not had sufficient time to discuss the matter among ourselves. Bouças, however, asked us out of a clear sky whether we were here to discuss monazite sands. (At the next morning meeting he told us that the President had authorized him to conduct negotiations on this matter before he went to Mexico City.³⁵) We told him that monazite sands were the purpose of our visit but that we were not prepared to discuss details at that time. A meeting was arranged for the following morning. The five of us (McAshan, Lee, Volpe,³⁶ Vance and Lansdale) spent the afternoon and evening preparing for the meeting with Bouças.

2. Because of Brazilian records of exports of monazite sands during the past few years and because we were using credit for private transactions, we decided not to attempt to start with a figure as low as 750 tons but rather 1500 tons. It was also agreed that it would be inadvisable to attempt a 99-year term for the agreement.

3. On 28 June at 9 A. M. we had a general discussion with Bouças. McAshan, Lee, Vance and Lansdale were present. We called attention to Lee's presence as a representative of the British Government, and explained that while the British were jointly interested with us in the negotiations, the agreement would be solely between the United States and Brazil.

4. We advised Mr. Bouças that thorium, of which monazite is a carrier, might have appreciably [*appreciable*] military significance although we had no definite knowledge of its potentialities at this time. We gave him no further details and Bouças was uncurious about the matter. At one point Bouças said that if the matter were a military secret, he did not want to know about it because there were certain persons in Brazil who could not be trusted.

5. The discussion covered the points of interest to us and was kept on a commercial basis. Agreement in principle was reached as to the points to be covered. In discussion of the necessary secrecy involved, he asked if we could not include some provisions for military participation by Brazil in end uses since it would then be easier for him to handle the matter with the required secrecy. We told him we were not in a position to discuss this aspect of the matter.

6. Mr. Bouças suggested several points to be covered in the agreement:

- a. That Brazil be bound not to increase taxes or official fees during the period of the agreement.
- b. That the United States might have to educate Brazilian inspectors if they were needed.

³⁵ To attend the Inter-American Conference on Problems of War and Peace, February 21-March 8, 1945. For documentation on this Conference, see vol. ix, pp. 1 ff.

³⁶ First Lt. Joseph Volpe, on the staff of General Groves.

- c. That the ports of shipment be specified by Brazil in order to facilitate export control.

7. Bouças also wanted annual renegotiation of price and quantity with a ten per cent increase per year in quantity. He finally agreed, however, on the three-year term with renegotiation of price every three years and a floor on quantities. He also agreed on successive options and gave the impression that he would agree to an indefinite series of options. Bouças also requested that some provision be made indicating an intention of the United States to continue to buy monazite sands from Brazil on an equitable basis as to quantity after the Indian market was reopened. He expressed the opinion that the agreement should be executed by the Brazilian foreign minister and by Mr. Berle.³⁷

8. The balance of the morning and afternoon was spent in making a preliminary draft of the agreement. Mr. Lee contributed materially in the work of drafting.

9. In the late afternoon, McAshan and Lansdale called again on Bouças with the preliminary draft.³⁸ Bouças went carefully over each provision. After due consideration, we called Bouças' attention to the indefinite term of the agreement as drafted and asked his advice as to the best way to handle the matter. He clearly had missed this point and stated that the agreement must have a definite limitation. He was of the opinion that five terms of three years each was all he could get Vargas to approve. At our insistence he agreed to try to obtain approval for ten terms. At the same time he insisted on a provision for the purchase of grades under six percent thoria; he gave as his reason the danger of a weak government refusing to enforce the export control if another foreign buyer offered a good price for lower grades. He cited the difficulty with Argentina on pyrethrum.

10. Bouças also insisted on including in the agreement clauses for provisional payments. Furthermore, he wanted six months' notice of the exercise of the option rather than the sixty days we had proposed, to enable producers to handle the labor problems involved in case of discontinuance of the agreement.

11. He asked also for a rewording of the non-discrimination clause to cover all amounts shipped under the agreement whether the shipments were to the United States or to another country by designation.

12. Bouças completely balked on paragraph 6 of the first draft which had to do with the limitation of use in Brazil. He insisted that the point was sufficiently covered in the reservation to Brazil of ma-

³⁷ Adolf A. Berle, Jr., Ambassador in Brazil.

³⁸ Not printed.

terial for normal use and that it was politically impossible to insert any provision indicating that Brazil must first ask the United States before using within Brazil their own product.

13. Bouças left about seven in the evening with a copy of the draft to see the President. He later called McAshan and requested us to meet him at the train just before his departure for São Paulo. He told us at that time that the President had approved the agreement in principle but that the President had insisted on a commitment during the initial three-year period for the purchase of 3000 tons per year. We agreed to consider this point and to redraft the memorandum to cover the other points under discussion and to meet with him on Wednesday ³⁹ on his return to Rio. Bouças voluntarily returned to us the copy of the memorandum we had given him, for security reasons.

14. Vance, Volpe and Lansdale had called on Berle on Tuesday afternoon, 26 June and had advised him of the nature of our mission. On the morning of the 27th, McAshan, Lee and Lansdale called on him again. Friday morning, 29 June, McAshan and Lansdale reported to Mr. Berle the events to date and discussed the non-discrimination clause at length with him. On Friday morning the 6th of July, McAshan called on Berle and discussed the formalities of execution. Mr. Berle suggested that the execution should be by exchange of notes referred [*referring?*] to the initialled memorandum rather than by notes incorporating the text of the memorandum. Mr. Berle was thoroughly and constructively cooperative at all times. He gave us good advice on procedure which we followed as closely as changing circumstances permitted.

15. The intervening period until our next meeting with Bouças (delayed until Friday, 6th July) was spent in redrafting the arrangement. We determined to meet Bouças' request to include grades under six percent thoria in order to strengthen export control but with a limitation to twenty percent of the quantities purchased and at a substantial discount in price. Lee participated fully in the redrafting and concurred on all points. No material changes were made subsequent to Lee's departure on 4 July although the final draft was written the afternoon of 5 July.

16. The afternoon of 6 July McAshan, Vance and Lansdale met Bouças with the final draft. Bouças insisted on 3000 tons. We attempted to secure an increase in the number of options to fifteen, Bouças, however, would not budge. He warned us that failure to meet the President's request for 3000 tons or an insistence on an increase in the periods might result in the President requiring a

³⁹ July 4.

complete reworking of the agreement and placing it in foreign office channels. He pointed out that the agreement would not be published and that nothing would be done to stimulate Brazilian production unless we wanted it, so that in point of fact, we would probably not find much in excess of 1300-1400 tons per year available for purchase. Bouças suggested that the memorandum be signed at that time in order to strengthen his hand in securing the final approval of the President. This was done.

16. Bouças took the original signed memorandum to the President. He telephoned McAshan at 8:30 P. M. on 6 July to say that the President had approved the agreement without further change but that he had not been able to get in touch with Velloso who had just arrived in Rio. At the same time Bouças expressed profuse thanks for the priority that we had secured for his son, George.

17. Saturday morning at 10 A. M., McAshan and Lansdale visited Mr. Berle who prepared the draft of a covering note to be exchanged in identical form between Velloso and Berle. Our signed memorandum in English was incorporated in the note by reference. A copy of this draft was handed to Bouças at 11 A. M. Bouças took this draft together with his copy of the memorandum of agreement and a résumé of the agreement and course of negotiation to Leon Velloso. The résumé which was in Portuguese was dictated by Bouças to his confidential secretary, Beatrice Brandão.

18. At 9:30 A. M. on 9 July, Berle's office reported he had an engagement with Velloso at 12, noon, at which time it was hoped that the signed notes would be exchanged. Bouças reported that he would be there and wanted Mr. Berle to insist on keeping the agreement out of the Brazilian Foreign Office document registry system which would take time and cause a loss in security.

19. Berle met Velloso at 12, noon, and found Velloso's "amour propre" wounded over the fact that President Vargas had not sent Velloso direct authorization to conclude the agreement. Velloso even kept Bouças waiting outside until 1:15 and then did not see him. Velloso also wanted to obtain the concurrence of Ministro Antonio Ferreira Braga (Foreign Office Chief of Economic Affairs) before exchanging notes.

20. Bouças went to work on the President's military aide to get Velloso direct instructions from Vargas and requested us not to take the matter up with Braga as suggested by Berle since he might not have been brought into the deal. Bouças reported about 5 P. M. that Velloso had a date with Vargas on Tuesday morning, 10 July, to secure authorization to conclude the exchange of notes. At noon, word was received that Velloso would not be able to see President Vargas before 4 P. M. at the earliest.

21. At 5 P. M. Velloso requested Mr. Berle to call at the Foreign Office at 6 P. M. presumably to exchange notes. At 5:25 P. M. Bouças advised that the Foreign Office required a Portuguese translation of the memorandum of agreement to be signed by McAshan and Bouças, the same persons who signed the English duplicate originals and further said that the Portuguese version would not be ready until Wednesday or Thursday since it was being made confidentially by Ministro Braga and an official translator in Itamariti.

22. At 6 P. M. Berle and Velloso exchanged notes in identical language, except that Berle's was in English and Velloso's was in Portuguese, both ratifying as an act of their respective governments the agreement of 6 July. Braga was the only other Brazilian present. Immediately thereafter, Berle handed Lansdale the original note from Velloso, the duplicate agreement of 6 July and a covering letter to the Secretary of State, Washington.

23. McAshan and Vance will handle the Portuguese translation 11 July or 12 July and Vance will bring a copy of it to Washington with a copy of Berle's note in English.

Throughout our negotiations Bouças was fully cooperative and stated that as far as he was concerned, the agreement must be handled on a basis of mutual trust because of its confidential nature. While he gave the impression of being in sympathy with us and of trying to assist us in writing an agreement which would obtain ready approval from President Vargas, Bouças skillfully used the fact that the agreement was being handled "out of channels" as a means of trading hard and driving a good bargain for his government. We feel, however, in view of the present political situation, a great deal more time would certainly have been required and it is very questionable whether the 33-year period or the same type of export control clauses would ever have been obtained through regular Brazilian channels.

We feel that Bouças is entitled to full recognition by the U. S. Government for his constructive assistance in this matter.

S. M. McASHAN, JR.
JOHN LANSDALE

S/AE Files

The Ambassador in Brazil (Berle) to the Secretary of State

RIO DE JANEIRO, July 10, 1945.

SIR: I have the honor to enclose herewith an original note dated at Rio de Janeiro on July 10, 1945,⁴⁰ which is identical in tenor to a

⁴⁰ Note from the Brazilian Minister for Foreign Affairs, not printed.

note of the same date delivered to the Brazilian Minister of Foreign Affairs and signed by me. The only difference between the notes is that that of the Brazilian Minister of Foreign Affairs is written in Portuguese whereas the Embassy's note is written in English.

To each note there is attached duplicate original of the agreement referred to in the note, being a memorandum of agreement between the United States of Brazil and the United States of America, dated July 6, 1945 and signed for the Government of Brazil by Valentim Bouças and for the Government of the United States by Mr. S. M. McAshan, Jr.

In view of the special request for security, this despatch and its enclosure is being entrusted to John Lansdale, Jr., Colonel, United States Army, General Staff, who will act as special courier for its transmission. Because of the security arrangements, this Embassy is not retaining a copy of the memorandum, though it has retained a copy of the note.

Respectfully yours,

A. A. BERLE, JR.

[Enclosure]

The American Ambassador (Berle) to the Brazilian Minister for Foreign Affairs (Velloso)

RIO DE JANEIRO, July 10, 1945.

EXCELLENCY: I have the honor to inform Your Excellency that my Government agrees to the provisions of your note of this date to which is attached a duplicate original of a memorandum of agreement between our two Governments, dated July 6, 1945, signed on behalf of the United States by S. M. McAshan, Jr., and on behalf of Brazil by Valentim Bouças. The other duplicate original is attached hereto and made a part hereof.

This note and that of Your Excellency of today's date and in similar language constitute an agreement between our two Governments, and that they, having regard for their mutual security, will hold the existence of this agreement in the strictest confidence.

I avail myself [etc.]

ADOLF A. BERLE, JR.

[Subenclosure—Translation ⁴¹]

MEMORANDUM OF AGREEMENT BETWEEN THE UNITED STATES OF BRAZIL AND THE UNITED STATES OF AMERICA

1. This agreement between the Governments of the United States of Brazil and the United States of America shall be effective from 16th

⁴¹ Translation supplied by the editors.

July 1945 and, following upon the initial period provided for in paragraph three, hereof, shall continue in effect for so long as the successive options provided for in paragraph five, hereof, shall be exercised and carried out by the Government of the United States.

2. The Government of Brazil agrees to establish and maintain, during the whole time this agreement is in effect, restrictions on the export from Brazil of all grades of monazite sands or other carriers or compounds of thorium or of thorium, limiting the export of such materials to consignees in the United States or to other consignees designated or approved by the Government of the United States. All exports shall be from deep-water ports specified by the Government of Brazil.

3. For an initial period of three years beginning 16th July 1945, the Government of the United States agrees to purchase, directly or through an agent, from the Government of Brazil or sellers in Brazil, not less than 3000 metric tons, dry weight, per year, if available, of monazite sands averaging not less than 6% thoria or the equivalent weight of thoria in other compounds; however, not more than 20% by weight of the shipments under this agreement each year shall contain less than 6% thoria, based on separate analysis for each shipment. It is intended that every effort shall be made to deliver the highest possible grade of monazite sands and that in no event will monazite sands of a grade of 6% thoria content or higher be mixed with lower grades. Purchases made by official and private buyers in the United States or by any others designated or approved by the Government of the United States shall be deducted from the total annual contractual obligations undertaken by the Government of the United States under this agreement, the Government of Brazil agreeing to keep a record of such purchases and to make such record available to the Government of the United States as requested.

4. The price to be paid by the Government of the United States for monazite sands during the initial three year period shall be U.S. \$22 per metric ton for monazite sands containing between 4% and 4.99% thoria; U.S. \$31 per metric ton for monazite sands containing between 5% and 5.99% thoria; U.S. \$40 per metric ton for monazite sands containing between 6% and 6.99% thoria; for monazite sands containing 7% or more thoria the price shall be U.S. \$6.66 per 1% of thoria content per metric ton, all dry weight.

5. The prices to be paid under this agreement represent delivery of the material f.o.b. carrier at Brazilian deep-water ports of export specified by the Government of Brazil. All export duties and all other taxes, if any, as well as warehouse charges and all other charges connected with placing the material on board carrier, including packaging in suitable containers, are to be for the account of the exporter

and are included in the prices stipulated in this agreement. During the time this agreement is in effect the Government of Brazil will take steps to prevent the creation of new taxes, fees or other charges on the materials or the exportation thereof, or increases in taxes, fees or charges already in existence on the materials or the exportation thereof. It is further agreed that all contracts between the Government of the United States and the Government of Brazil or agencies thereof designated under the terms of this agreement shall follow the customary trade practices for *a.* provisional payments against ocean bills of lading in advance of final results of analysis and landed weights; and *b.* provisional payments against approved warehouse receipts for materials remaining unshipped thirty days after being made available for shipment at deep-water ports specified by the Government of Brazil, including the payment of storage charges after such thirty day period. The final payment of all invoices covering material purchased by the Government of the United States or its agents shall be based on landed net dry weights and independent analyses of the thoria content upon arrival at destination ports.

6. The Government of Brazil agrees that the Government of the United States shall have ten successive options to extend this agreement for periods of three years each, provided that notice of the exercise of such option be given to the Government of Brazil six months prior to the expiration of each such period of three years. During the time this agreement is in effect the Government of the United States shall have the right to purchase all or any part of the monazite sands or other carriers or compounds of thorium or of thorium produced in Brazil subject to the right of the Government of Brazil to reserve such reasonable quantities of these materials as may be required for normal industrial applications within Brazil. The prices to be paid during each such three year period shall be mutually agreed upon at the beginning of each such period on a fair and equitable basis; *provided*, however, that the quantities to be purchased in each such three year period shall be not less than the amount provided for in paragraph three hereof; and, *provided further*, that the prices per 1% of thoria content per metric ton so to be agreed upon shall be not less than those then being paid by the Government of the United States to any other seller in any other producing country.

7. In the event that the needs of the Government of the United States for monazite sands or other carriers or compounds of thorium become at any time such as to warrant a substantial increase in the production within Brazil of such materials, the Government of the United States agrees to furnish qualified geologists or other appropriate technical experts to collaborate with the appropriate authorities of the Government of Brazil in the survey, discovery and development of the production of these materials in Brazil. In order

to assist the Government of the United States in determining the availability of these materials in Brazil, the Government of Brazil agrees from the date of this agreement to make freely available to duly accredited representatives of the Government of the United States all information concerning the existence and working of deposits of monazite sands or other carriers or compounds of thorium.

8. In the event that after the initial period of three years provided for in paragraph three hereof, there is a continuing demand on the part of the Government of the United States for monazite sands or other carriers or compounds of thorium, the Government of the United States undertakes that in the meeting of that demand due regard will be given to the desirability of maintaining imports from Brazil of such materials on a basis which will be fair and non-discriminatory in relation to imports from other producing countries into the United States, taking into account all deliveries made under this agreement.

9. The Government of the United States agrees to make available from time to time, if requested by the Government of Brazil, technical experts to facilitate and to advise on all measures of inspection and control which may be necessary to accomplish the purposes of this agreement.

10. The Governments of the United States and Brazil reiterate their intention to use their best efforts to accomplish the purposes of this agreement and to that end shall adopt whatever measures may be desirable or necessary.

RIO DE JANEIRO, 6th July 1945

For the Government of the
United States of Brazil

VALENTIM BOUÇAS
*C. Ext. C.C.A.W.*⁴²

For the Government of the
United States of America
S. M. McASHAN, JR.

[For documentation relating to discussions at the Conference of Berlin, July 16–August 2, 1945, concerning the projected use of the atomic bomb against Japan, see *Conference of Berlin (Potsdam)*, volume II, index entries under Japan, page 1623. For text of a statement by President Truman announcing the use of the bomb at Hiroshima, August 6, 1945, see *Foreign Relations*, 1945, volume VI, section under Japan entitled “Surrender of Japan . . .”, part I. For a narrative account of related events during July and August, see *The New World*, 1939/1946, pages 371–417.]

⁴² Portuguese abbreviation for: Executive Secretary of the Commission for the Control of the Washington Agreements.

S/AE Files

Draft Memorandum of Instruction From the United States and United Kingdom Governments to the Minister in Sweden (Johnson) ⁴³

[LONDON,] 20 July, 1945.

Subject: Recommended Approach to Swedish Government

1. At the outset of the discussion with the Swedish representatives, the necessity for complete Top Secret security should be impressed upon them together with the fact that only the minimum number of people essential to the negotiations should be acquainted with the subject.

2. It is suggested that the initial approach be conducted along the following lines:

a. The U.K. and U.S. Governments have been conducting complex experiments and putting forth extensive efforts to determine the uses of uranium for military purposes. The experiments have indicated that it has definite military value but it is clear that full advantage of its potential uses can be realized only by nations with vast industrial capacity.

b. It is considered of the utmost importance to obtain control of the sources of uranium in view of their possible future significance to world peace.

c. The existence of uranium in Sweden in deposits of *kölm*, a hardened asphalt-like substance used for fuel, and in oil shale, is known to geologists. The uranium usually comprises less than one per cent of the material in which it is contained. It is believed that considerable and significant quantities of uranium can be recovered in fields which can be developed easily.

d. In view of the strategic importance of these deposits the Governments of U.K. and U.S. desire to ask the Government of Sweden to agree:

- (1) To effective control of its uranium bearing materials for a long period of years.
- (2) To prevent export of uranium bearing materials except with consent of the two Governments.
- (3) To give the two Governments the privilege of first refusal on the uranium content of the Swedish supply of uranium bearing materials.

e. In consideration of such an undertaking by the Government of Sweden the Governments of the U.K. and U.S. would be willing to agree to purchase a reasonable quantity of uranium bearing materials having in mind the rate at which the deposits can be worked economically.

3. If the proposals under 2.*d* and 2.*e* above should materialize, the appropriate contractual arrangements between an agency of the two

⁴³ Concerning the authorship of this memorandum, see items No. 9 and No. 11 of memorandum by Major Traynor, August 3, *infra*.

Governments and some agency of the Swedish Government might provide not only for sale of material but also for collaboration in exploration and development.

4. The best information presently available indicates that there is no production currently, though the small Närke field is being worked by the Swedish Admiralty for oil as a war time measure. It is understood that the larger, Västergötland, field is not being worked except as a small source of fuel for the production of agricultural lime. It is believed that the Swedish Government has control of the mineral rights at both fields but the situation in this respect should be investigated carefully. It may be that the existence of oil in both fields, though in uneconomical amounts, and the present interest of the Swedish Admiralty in the Närke field, might be used to facilitate special control measures.

5. It should not be necessary, at any rate at this stage, to disclose the fact that a recent investigation was specially made by a British official geologist with the cooperation of a Swedish mineral exploration company. Ostensibly the British geologist was in Sweden to discuss recent progress in geo-physics in Sweden and to discuss geological matters generally with competent authorities there. In the course of his visit he collected samples and made a few field excursions as a result of the special interest he has had for some time in the world's uranium deposits. As a result of this special enquiry, the amount of uranium oxide in the Swedish deposits has been estimated to be at least 80,000 tons; but it would probably be advisable not to be at all precise even in answer to questions.

6. As soon as the matter is opened by Mr. Johnson in this way he will then report what are the prospects of success in the negotiations so that suitable arrangements may be made for them to be carried on jointly in London or in Stockholm as may seem most satisfactory.

S/AE Files

Memorandum by Major Harry S. Traynor, on the Staff of the Commanding General, Manhattan Engineer District (Groves)

[WASHINGTON,] August 3, 1945.

REPORT ON TRIP TO ENGLAND: 8 JULY TO 1 AUGUST 1945

1. *Initial Approach to Ambassador Winant.*⁴⁴

Major Taney⁴⁵ and Major Traynor arrived in London on 10 July 1945 and called on Ambassador Winant. The Ambassador was

⁴⁴ John G. Winant, Ambassador in the United Kingdom.

⁴⁵ Maj. Clifford A. Taney, on the Staff of General Groves.

handed the letter from General Groves ⁴⁶ which he immediately read.

A general summary of the mission at hand was given verbally to the Ambassador with emphasis on the importance which Sweden and the Netherlands East Indies had recently assumed. The Ambassador was very interested in the latest development of the project and asked when success might be expected. To this question Major Traynor replied that he was not acquainted with exact dates but thought that important tests were not far distant.

The Ambassador explained that he was engaged for the next twenty-four hours and stated that as soon as several pressing matters at hand were taken care of he would see us again.

2. *Memoranda by Dr. George Bain.*⁴⁷

Dr. Bain arrived in London on 11 July and at the request of the undersigned prepared summarized non-technical memorandums on the occurrence and possibilities of the desired minerals in Sweden and the Netherlands East Indies. (See Exhibits A and B.^{47a})

3. *Delivery of Letter for Mr. Johnson* ⁴⁸ *to Ambassador Winant.*

After receiving cabled instructions from General Groves the envelope containing the letter to Mr. Johnson was delivered to the Ambassador on 11 July and the cable shown to him. At his request, a copy of the cable was prepared and handed to him.

In view of the importance which the occurrence of a test and possible consequent relaxation of security might have on impending negotiations, the Ambassador was informed by Major Traynor that tests might take place during the course of the negotiations, that news of this might conceivably get spread around, and that use might follow closely after tests. This information was conveyed to him in highest secrecy and understood by him as having that classification.

The Ambassador was also informed that brief non-technical one page summaries on both Sweden and the N.E.I. were being prepared for him. He indicated that he felt these were highly desirable. He asked if commercial interests would be involved in the Netherlands and Swedish arrangements to which the reply was made that this was possible, and if so they would probably have to be taken care of in a manner similar to the Belgian agreement ⁴⁹ by introducing The Trust as a two-government agent.

⁴⁶ Not found in Department files.

⁴⁷ Senior Geologist for the Murray Hill Area, the exploration arm of the Manhattan District Project.

^{47a} Neither printed.

⁴⁸ Herschel V. Johnson, United States Minister in Sweden.

⁴⁹ See footnote 33, p. 14.

4. *First Meeting with U.K. Representatives.*

On 12 July, the first meeting (See Exhibit C ⁵⁰—for Minutes of this meeting) with the British was held in the Chancellor of the Exchequer's office and was attended by Sir John Anderson, Ambassador Winant, Sir Ronald Campbell,⁵¹ Mr. R. S. Sayers,⁵² Major Taney, Major Traynor and Mr. D.H.F. Rickett, Sir John's confidential Secretary. A discussion as to how the approach should be made to the Netherlands Government was held and it was agreed that the best procedure would be for Sir John Anderson to see M. Van Kleffens, Netherlands Minister of Foreign Affairs, alone. It was mentioned by Sir Ronald Campbell that the Netherlands government was at present in a confused frame of mind, was somewhat wary of approaches made to them by the larger powers, would have to be handled carefully and that more would probably be accomplished if the initial contact was made in an informal talk by one person. Sir John Anderson seemed the logical one to do this because of his prior and personal acquaintance with M. Van Kleffens.

The approach put forth by Sir John Anderson was to point out that scientific developments had been such that uranium supplies of the world might become a source of danger if their exploitation was not controlled and recent research suggested that similar risks might be attached to thorium. The desire that the Netherlands Government would control all exports of monazite and thorium compounds extracted from it and not permit such exports without the consent of the contracting parties would then be expressed.

The possibility that commercial aspects might enter into the negotiations gave rise to the thought that the purchase of minimum quantities of monazite might have to be a consideration in order to obtain for the United States and the United Kingdom first refusal or option clause.

Mr. Winant emphasized the high order of security of the matter and that the arrangements should cover thorium deposits outside the mining company concessions. Sir John Anderson made an informal statement that he thought the top Netherlands Government representative could be trusted. It was the consensus of opinion of those present that the form of agreement with the Netherlands should be the sort of legal instrument as was made with the Belgians—that is a memorandum confirmed by an exchange of letters between the three Governments.

⁵⁰ Not printed.

⁵¹ British Representative on the European Advisory Commission; formerly British Minister, Washington. For documentation pertaining to the work of the European Advisory Commission (EAC), see vol. III, pp. 1 ff.

⁵² Of the British Treasury.

5. *Sir John Anderson's Approach to M. Van Kleffens.*

Immediately after the above described meeting with U.K. Representatives, Sir John Anderson met with M. Van Kleffens, Netherlands Minister of Foreign Affairs. (See Exhibit D⁵³ for notes of this meeting). Sir John reported that he outlined to M. Van Kleffens in general terms the nature of the problem and the approach the U.K. and U.S. were disposed to make to it and that M. Van Kleffens said he had no doubt but that his Government would be entirely cooperative but that he would have to mention the matter to the Netherlands Prime Minister⁵⁴ and Netherlands Minister for Overseas Territories.⁵⁵

M. Van Kleffens was said to have promised to take the matter up immediately with his Government upon his return to The Hague on 17 July and propose that someone be designated by the Netherlands Government to deal with the matter, both diplomatically and scientifically, and inform Sir John of what could be arranged.

Sir John stated that he then asked that the person selected come to London the next week but that M. Van Kleffens was doubtful if this could be accomplished but promised to expedite the matter. Sir John also stated that he indicated it would be welcome to himself and Ambassador Winant if M. Van Kleffens could attend the next meeting with such experts as his government might designate and that M. Van Kleffens received this suggestion favorably.

6. *Meeting with Mr. Herschel V. Johnson.*

Mr. Herschel V. Johnson, United States Minister to Sweden, came to London on 14 July 1945, at the request of Ambassador Winant. On Sunday, 15 July 1945, Major Taney and Major Traynor met with Mr. Johnson for the purpose of giving him the necessary background and informing him in more detail of the job to be done. Ambassador Winant had had a short talk with Mr. Johnson the evening of the previous day and had delivered to him the letter dated 6 July 1945 from General L. R. Groves.

A brief résumé and genesis of the project was given to Mr. Johnson touching on formation of the idea, the original fostering of the work by the Office of Scientific Research and Development, the approved report of 17 June 1942 by V. Bush and J. B. Conant with the consequent assumption of large phases of the work by a special group of the Corps of Engineers under General L. R. Groves; the existence of production plants and communities; the high manpower and material priorities and requirements of the work; the high order of security surrounding the project; the fact that the end products were produced

⁵³ Not printed.

⁵⁴ William Schermerhorn.

⁵⁵ Johann H. A. Logemann.

from uranium, the approval from President Truman for continuation of the work, the experimental status of thorium, the existence and inter-relation of agreements between the U.K. and U.S. covering the project, the existence of the Trust, the existence of a Belgian agreement and impending Brazilian agreement, the fact that an approach was being made to the Netherlands Government; and the fact that some measure of success and the breaking down of complete security might come during the process of negotiations.

The extreme secrecy of the entire subject was emphasized and it is felt that the need and justification for this was completely understood and appreciated by Mr. Johnson.

Mr. Johnson asked if a neutral country had ever been approached previously and was told it had not. He stated that the Swedes were a very intelligent and democratic people; that their form of government might make it difficult for them to concede [*accede?*] to our wishes, that they realized their perilous political and geographical positions and had no illusions about their being able to withstand for long any major avalanche of force that might be directed against them. Nevertheless, he trusted implicitly their Prime Minister,⁵⁶ the retiring (August 1, 1945) and incoming Foreign Minister[s]⁵⁷ and especially the permanent Under Secretary of Foreign Affairs.⁵⁸

Mr. Johnson thought the matter would have to be handled with these top men, and further before his return to Sweden he desired to talk with Sir John Anderson and the Ambassador.

7. Meeting with Ambassador Winant and Mr. Johnson, 17 July 1945.

Mr. Johnson, Major Taney and Major Traynor discussed with Ambassador Winant the method of approaching the Swedes, the advisability of having the initial negotiations take place in Stockholm, the necessity of transmitting all important messages between Stockholm and London by courier, the special delicacy of the Swedish position rising out of Sweden's geographical and political positions and from the fact that the Swedish form of government restricts freedom to make security-cloaked governmental agreements especially where private interests were concerned and the fact that the situation might be further complicated by changes in the Swedish Cabinet on 1 August 1945 when a new Foreign Minister would take office.

Mr. Johnson stated he thought both the incoming and outgoing Foreign Ministers and the permanent Under Secretary of Foreign Affairs were favorably disposed towards the United Kingdom and the United States.

⁵⁶ Per Albin Hansson.

⁵⁷ Christian E. Günther and Östen Undén, respectively.

⁵⁸ Stig Sahlin.

The possibility of using the assistance of the new British Minister to Sweden,⁵⁹ who had not yet assumed his post and whose experience had of late been in Argentina, was discussed but was considered impracticable and unwise. This, it was felt would merely extend information on the project to still another person who would not be in a position to play an essential role in the negotiations.

In conclusion, arrangements were made to meet with Sir John Anderson on Wednesday, 18 July to discuss with him, and decide upon Mr. Johnson's approach to the Swedish government.

8. Meeting with Sir John Anderson

On Wednesday, 18 July 1945, Ambassador Winant and Mr. Johnson met with Sir John Anderson to discuss the procedure to be followed in opening negotiations with the Swedish government. (See Exhibit E⁶⁰—for notes of this meeting). Others present were Major Taney, Major Traynor, Mr. Sayers and Mr. Rickett.

Mr. Johnson expressed the view that if negotiations were opened in London, time would be lost inasmuch as the Swedish representative approached would have to return to Stockholm for instructions. Both Mr. Johnson and Ambassador Winant suggested the right course was for Mr. Johnson to see the Swedish Foreign Minister and his permanent Under Secretary together for the initial contact and when the possibilities of an agreement had been explored to continue final negotiations in London. Sir John Anderson was agreeable to this procedure.

Sir John Anderson suggested that Mr. Johnson might open by saying that as the Swedish Government would be aware, there was a scientific possibility that uranium might become of importance for military purposes. The U.S. and British Governments were carrying out research on this possibility, the results of which made them anxious as a matter of prudence to ensure that the exploitation of the large deposits of uranium known to exist in Sweden were properly controlled. The two Governments were anxious that the Swedish Government should give an undertaking not to permit the export of uranium except with their agreement and to grant to the two governments the right of first refusal on all Swedish uranium supplies. In consideration of this undertaking the two Governments would be willing to enter into an agreement to purchase whatever might be considered a reasonable yearly quantity of uranium, having regard to the rate at which the deposits were capable of being economically worked.

Mr. Winant and Mr. Johnson expressed general agreement with the basis of negotiations suggested by Sir John and agreed that Mr.

⁵⁹ Cecil B. Jerram.

⁶⁰ Not printed.

Winant should arrange for a memorandum to be drafted in consultation with Sir John's advisors setting out the approach on which Mr. Johnson would take up the matter in Stockholm.

Mr. Winant and Mr. Johnson said that they thought it would help to create a favorable atmosphere for the negotiations if the U.K. and U.S. Governments could expedite the implementation of the arrangements on post war supplies which had been agreed upon in principle with the Swedish government. Sir John remarked, that as Mr. Winant knew one of the difficulties in the negotiations relative to the commodities which Sweden wished to purchase from the U.K. were that they were in very short supply, but that he would see what could be done to carry out Mr. Winant's suggestion.

9. *Preparation of Swedish Memorandum for Mr. Johnson.*

In accordance with instructions obtained at the above described meeting on 18 July, Messrs. Sayers and Rickett prepared a preliminary draft of approach for Mr. Johnson. This was revised by Major Taney, Major Traynor and Dr. Bain and shown to Ambassador Winant and Mr. Johnson on 19 July who suggested a minor change to make the semi-technical explanation of the uranium deposits clearer to the layman. This change was made, and the draft of 20 July 1945, (See Exhibit F) ⁶¹ was shown to and approved by Colonel John Lansdale and Major John E. Vance and later by Ambassador Winant and Mr. Johnson. A copy of this approved 20 July Draft was delivered to Mr. Rickett for transmittal to Sir John Anderson.

10. *Information from M. Van Kleffens.*

Late Friday evening, 20 July 1945, M. Van Kleffens, who had returned to London, reported to Sir John Anderson that he had contacted his Prime Minister and Minister for Overseas Territories on the matter and that he expected to return to The Hague on Monday July 23 and expected to arrange the desired meeting in London with representatives of his government by the middle of the week of 22-28 July.

11. *Approval of Swedish Memorandum by Sir John Anderson.*

On 23 July, Sir John Anderson informed Colonel Lansdale of his approval of the 20 July Draft Memorandum prepared for Mr. Johnson with the exception that he desired to add a paragraph. This paragraph is No. 6. Its addition was approved by Ambassador Winant and Mr. Johnson.

12. *Information on Netherlands Delegation.*

Mr. Rickett informed Major Traynor on 25 July 1945 that Sir John Anderson had received word from M. Van Kleffens that the

⁶¹ *Ante*, p. 24.

Netherlands delegation, consisting of M. Van Kleffens, M. Kramers and M. J. Van den Broeck, former Netherlands Minister of Finance, would be in London on Monday, 30 July for the purpose of opening negotiations. Mr. Rickett stated that the Dutch were somewhat surprised when told that United States representatives would also be present. Apparently they had not understood this to be the case from M. Van Kleffens' discussion with Sir John Anderson.

13. *Review of Draft of Netherlands Agreement by Ambassador Winant.*

On 27 July 1945, a draft of a proposed "Memorandum of Agreement Between the Netherlands Government and Governments of U.S. and U.K." ⁶² was handed to Ambassador Winant. The Ambassador thought the memorandum was satisfactory as a preliminary draft. He was told that it followed substantially the same lines as the Brazilian agreement. The Ambassador then asked if any change had been made from the Brazilian form to take into recognition the different form of the Netherlands Government. Colonel Lansdale told him that no such change had been incorporated in the proposed Netherlands agreement because such an agreement was considered an external matter to which the form of government subscribing to it made little difference. The Ambassador agreed that this approach was correct.

14. *Colonel Lansdale's Meeting with Secretary of War and Mr. Bundy.*

Colonel Lansdale met with the Secretary of War and Mr. Harvey Bundy at Prestwick, Scotland on 27 July 1945. The impending negotiations with the Netherlands and Swedish governments were made known to both gentlemen.

15. *Second Meeting with Netherlands Representatives.*

On 30 July 1945, a meeting was held in the Chancellor of the Exchequer's office with the Netherlands' representatives. Those present were Sir John Anderson; Ambassador Winant; M. Van Kleffens, Netherlands Foreign Minister; Dr. Kramers, a Dutch Physicist; Sir Thomas Barnes, Solicitor of the Treasury; Sir Ronald Campbell; Colonel John Lansdale; Major John Vance; Mr. Rickett and Mr. Sayers. (M. Van den Broeck, Netherlands former Minister of Finance was delayed by bad weather and could not attend this meeting).

Sir John Anderson reviewed his previous approach to M. Van Kleffens for Ambassador Winant, mentioning the Brazilian agreement, negotiations with the State of Travancore, and his previous suggestion to the Netherlands that they undertake to restrict exports of

⁶² Not printed.

thorium ores in return for an agreement by the U.S. and U.K. to purchase specified quantities.

M. Van Kleffens stated that the Netherlands Government agreed in principle but commented that to date nothing had been said as to the form an agreement was to take. He mentioned possible difficulties since normally international agreements made by the Netherlands went before their Parliament. However, he believed that the impending agreement could be handled without publicity. He further stated that he was aware of the danger in allowing the material in question to fall into the hands of enemies.

Sir John again emphasized the need for security.

Colonel Lansdale asked if M. Van den Broeck would have figures on commercial aspects and M. Van Kleffens stated that he would since M. Van den Broeck was Chairman of the Board of the Billiton Company.

M. Van Kleffens stated that in considering restrictions on the material the Netherlands would want a certain amount for themselves for experimental purposes. To this statement, Sir John Anderson replied that the Belgian agreement had provided for the retention of material for such purposes and felt that there would be no difficulty in this respect in the impending agreement.

M. Van Kleffens mentioned that there were many deposits of minerals in the Celebes but that these were largely unexplored, and that there might be thorium containing material in other parts of the Netherlands East Indies. Mr. Sayers said thorium might occur anywhere that tin was found to which M. Van Kleffens stated there was no tin in the Celebes. (This agrees with Dr. Bain's information). Dr. Kramers mentioned the Republic of Colombia as a possible source of thorium.

Sir John Anderson suggested a meeting of technical representatives when M. Van den Broeck arrived. All agreed that more detailed facts were needed and that such a meeting should take place as soon as M. Van den Broeck arrived and that following the meeting a memorandum of agreement would be drafted.

M. Van Kleffens stated that he hoped to have the business concluded by the end of the week of 29 July-4 August 1945.

16. *Meeting with Sir Thomas Barnes.*

Immediately after the meeting with the Netherlands representatives, Colonel Lansdale and Major Vance met with Sir Thomas Barnes . . .

17. *Colonel Lansdale's Discussion with Ambassador Winant.*

During the afternoon of 30 July 1945, Ambassador Winant discussed with Colonel Lansdale several aspects of the new British gov-

ernment. He informed Colonel Lansdale that Mr. Attlee had not been aware of the D.S.M.⁶³ project, prior to becoming Prime Minister and that he (Mr. Winant) and Mr. Churchill ⁶⁴ had prepared a memorandum for Mr. Attlee on the subject.

18. *Third Meeting with Netherlands Representatives.*

M. Van den Broeck arrived in London on 30 July 1945. In accordance with arrangements made on 30 July, a meeting was held on 31 July. Those present were: Sir Thomas Barnes, Sir Ronald Campbell, Mr. Rickett, Mr. Sayers, M. Van den Broeck, Dr. H. A. Kramers, Colonel Lansdale, Major Vance and Dr. Bain.

Sir Thomas Barnes reviewed the general agreement reached on 30 July that control of the materials would be provided for and that the agreement itself would have the appearances of a commercial document.

M. Van den Broeck requested disclosure of the Belgian agreement but it was clearly stated by Sir Thomas Barnes and Colonel Lansdale that the Belgian agreement contained a clause prohibiting its disclosure by the governments involved. M. Van den Broeck said he had no doubt it dealt with uranium since the Belgian Congo was rich in that material. He further stated that his government wished to be informed of the development of the project and the extent of its progress, emphasizing the Netherlands nearness to Germany. He added that the Netherlands government would wish to reserve the right to use thorium for defense purposes and not solely for industry.

Colonel Lansdale replied that our experiments on thorium were entirely preliminary and Sir Thomas Barnes added that any disclosure of the project was a matter of high policy. He asked the Netherlands government to trust the U.K. and the U.S. to keep the material out of the wrong hands, and that in any case the group present could make no disclosures of any sort.

M. Van den Broeck agreed to leave these points in abeyance but said that any agreement that might be reached would be subject to a further discussion on the matter of revealing progress on the project to the Netherlands government.

Sir Thomas Barnes said that in accepting this the U.K. and U.S. were not agreeing to a later disclosure but only recognizing that the Netherlands might again bring up the request. M. Van den Broeck countered by saying he could not guarantee that the Netherlands would enter into an agreement without a disclosure.

A semi-technical discussion followed. It became apparent that before the Japanese occupation monazite was not separated as such

⁶³ An earlier designation for the atomic bomb development program, i.e., the Manhattan District Project.

⁶⁴ Winston S. Churchill, British Prime Minister until July 26, 1945.

in the N.E.I. but rather that the tin ore, after being removed from the deposits, contained a small amount of monazite which was removed at the smelters in Holland. Or in other words, most of the monazite which occurs in the tin ore is left in the N.E.I. as waste material mixed with all of the original base rock and is probably not recoverable except at great expense. In the past there has been only a small demand for monazite so no effort has been made to produce the material.

The only purchaser before 1939 was Aver Gesellschaft with offices in Frankfurt and Berlin. M. Van den Broeck believed the use was for gas mantles and not for experimental purposes. He did not know the exact amounts of monazite sold but thought it was only a few hundred tons in comparison with some 20,000 tons of tin in 1939. He mentioned a price of \$60 to \$80 per ton in Holland for monazite containing 6 per cent to 8 per cent thorium, which was the only grade for which a market existed and stated there were no stocks of low grade monazite available. He did not know the extent of monazite reserves.

It was agreed that all grades of monazite should be controlled and generally agreed to limit export of all materials containing thorium in "recoverable amounts", leaving the definition of the term "recoverable amounts" to discussion from time to time.

In further discussion of prices, M. Van den Broeck said that freight from the N.E.I. to the Netherlands was \$14 to \$16 per ton. A periodic adjustment of prices was suggested.

M. Van den Broeck stated that if increased production was wanted the price for monazite would be much higher and asked if increased production was desired. He was given a negative answer.

In the event of increased production M. Van den Broeck said it might be done either in the N.E.I. or the Netherlands. (It is quite probable that the only successful production on a large scale would have to be carried out in the N.E.I.—Vance.)

M. Van den Broeck said he would return to the Netherlands on 2 August and would get figures on present production prices, etc. from his technical people.

M. Van den Broeck again referred to the Netherlands requirements of thorium and to their request for project information. It was concluded that a draft of an agreement would be prepared for M. Van den Broeck by 4 P. M. of 31 July and that on 1 August it might be advisable (after a morning meeting to discuss the draft by those then present) to have a meeting of Sir John Anderson, Ambassador Winant and M. Van Kleffens to consider the agreement and at the same time discuss the disclosure request.

An effort was made to limit the amount of monazite reserved for the Netherlands to a specified figure such as 20-30 tons but M. Van

den Broeck objected and wanted the amount left open for the Dutch to determine saying that they could not bind themselves to restrict the use of their own resources and stated it should not be necessary since they were already agreeing to keep the material out of the hands of the enemy.

19. *Meeting with Ambassador Winant.*

Colonel Lansdale reviewed the essence of the negotiations of the morning meeting with Ambassador Winant. At the suggestion that perhaps a follow-up should be made to Mr. Herschel Johnson on the Swedish matter the Ambassador advised against it and stated he thought Mr. Johnson was probably waiting for the new Swedish Minister of Foreign Affairs to take office on 1 August before approaching the Swedish government.

20. *Fourth Meeting with Netherlands Representatives.*

On 1 August 1945 Sir Thomas Barnes, Mr. Rickett and Mr. Sayers representing the U.K.; Colonel Lansdale, Major Vance and Dr. Bain representing the U.S.; M. Van den Broeck and Dr. Kramers representing the Netherlands met to consider a memorandum of agreement.⁶⁷ . . .

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S/AE Files : Telegram

The British Prime Minister (Attlee) to President Truman ⁶⁸

[LONDON,] August 8, 1945.

When we were at Potsdam the potentiality of the atomic bomb had not become actuality and the pressure of immediate problems was too heavy to give us the opportunity of discussing the implications of success.

The attack of [on] Hiroshima has now demonstrated to the world that a new factor pregnant with immense possibilities for good or evil has come into existence.

Thoughtful people already realise that there must be a revaluation of policies and a readjustment of international relations. There is widespread anxiety as to whether the new power will be used to serve or to destroy civilisation. The economic effects of the discovery will

⁶⁷ According to Leslie R. Groves, *Now It Can Be Told: The Story of the Manhattan Project* (New York, Harper & Brothers, 1962), p. 184, an agreement covering the sale of monazite sands was signed with The Netherlands but remained inoperative. For additional information, see Margaret Gowing, *Britain and Atomic Energy, 1939-1945* (London, St. Martin's Press, 1964), pp. 317-318.

⁶⁸ Copy transmitted to Secretary of State Byrnes by the British Chargé (Balfour) under cover of a note dated August 10.

probably not reveal themselves for some years: its influence on international relations is immediate.

I believe that our two nations are profoundly convinced that if civilisation is to endure and progress, war must be banished for ever.

I consider, therefore, that you and I, as Heads of the Governments which have control of this great force, should without delay make a joint declaration of our intentions to utilise the existence of this great power not for our own ends, but as trustees for humanity in the interests of all peoples in order to promote peace and justice in the world.

The problems of control and the effect of the existence of this power on the new world organisation will require careful consideration, but I believe that a declaration of intentions made now will have great value.⁶⁹

Stockholm Legation Files

Memorandum by the Minister in Sweden (Johnson)

[STOCKHOLM,] August 10, 1945.

On July 27, on my return from London, I called to see Mr. Stig Sahlin, Secretary General of the Swedish Foreign Office, and acquainted him with the substance of the draft instructions which I had received jointly from the United States and United Kingdom Governments as set forth in a document dated July 20, 1945, a copy of which I brought with me. Mr. Sahlin said that he realised the great importance of the suggestions and requests of the two Governments, that he would immediately acquaint the Prime Minister, and that our desire for utmost secrecy would be fully preserved. He said that Mr. Undén, who would assume office as Foreign Minister on August 1, would be informed and that in addition to him and the Prime Minister it would be necessary to advise Mr. Gjores, the Minister of Supply. Mr. Sahlin said that he was leaving Stockholm on August 4 for a holiday of two or three weeks; that during his absence his position would be occupied by Mr. Vilhelm Assarsson, the Deputy Secretary General; and that I would probably agree that it would be advisable to inform Mr. Assarsson as it would be through Mr. Assarsson that the matter would have to be treated until his return. I agreed.

I saw Mr. Assarsson on the evening of July 28 and mentioned the matter to him briefly. We did not discuss it in detail as he had already been informed of the nature of the approach by Mr. Sahlin.

⁶⁹ President Truman's reply, contained in his telegram No. 1, August 9, to Prime Minister Attlee reads as follows:

"Replying to your Number 1 of 8 August, I am in general agreement with your proposal contained therein.

"Please send me for consideration a draft of the joint 'declaration of intentions' which you consider suitable for issue at this time." (Copy obtained from Department of Defense files)

On August 2 I called to see Mr. Sahlin to inform him that I had an appointment with the new Foreign Minister, Mr. Undén, for the following day and to inquire if he could make any suggestions which might be helpful in bringing up our business with the Foreign Minister. Mr. Sahlin informed me that the Foreign Minister had been fully acquainted with which [*what*] I had told him at our previous meeting and that Mr. Undén had discussed the matter with the Prime Minister. Mr. Sahlin said with respect to the American and British desire for the Swedish Government to agree to effective control of its uranium bearing materials that there would be no difficulty on this point as under Swedish law effective and complete control can be attained through withholding of licenses for export. He expressed some misgivings that the Government would agree to committing itself to American and British control of the uranium supply for a long period of years and suggested also that Swedish scientists might find uses for the material for peaceful purposes.

On August 3 I called to see Mr. Undén and gave him orally in considerable detail the substance of the draft instructions of July 20. Mr. Undén did not make any commitment but said that there would be no difficulty on the point of control as the Swedish Government was prepared to put that into effect immediately. He said he would welcome the visit to Stockholm of the American experts who had been dealing with this question and that our proposals might be discussed by those experts and myself with Mr. Assarsson and Mr. Sahlin. He also suggested that the Swedish Government would probably add one or two other people to the talks. The only name he mentioned was that of Professor Siegbahn, the noted scientist who has specialised in experiments with uranium. On the same day I sent a telegram to Ambassador Winant suggesting that Col. Lansdale and Major Vance come to Stockholm at once.

Col. Lansdale and Major Vance arrived in Stockholm on August 5.

On August 7 the new British Minister, Mr. Jerram, accompanied by Mr. Labouchère, the Counsellor of the British Legation, called to advise me that he had been instructed by his Government to associate himself with me in the present undertaking. He also advised me that Mr. Sayers⁷¹ from the Cabinet Office in London had arrived in Stockholm to assist him (Mr. Sayers had worked on the matter in London with Col. Lansdale and Major Vance).

On August 8 the British Minister and I called on the Foreign Minister, Mr. Undén, at noon and left with him a draft memorandum prepared by Col. Lansdale and Major Vance with the collaboration of Mr. Sayers, setting forth in detail the American and British objec-

⁷¹ James Sayers, member of the British group of atomic scientists transferred to work on the United States Manhattan District Project.

tives. We made clear to Mr. Undén that this draft was designed to furnish him and his associates with a definite statement in writing of our proposals, which they could examine and study and that it was not offered as a suggested form of the agreement which we hoped would be concluded with his Government. Mr. Undén then read the draft agreement carefully and commented that it went "a long way". He said that it would be given very careful study and that he would indicate to me as soon as possible when there might be a meeting of our experts with his own. From Mr. Undén's remarks it was clear that the Swedish Government will put the uranium supplies in this country under strict control but he did not suggest that it is ready to assume a definite obligation to the American and British Governments in this connection. I urged upon him the importance which we attach to having Sweden's agreement that none of this material will be exported without the prior consent of the American and British Governments; that the matter was of such vital importance that we could not feel satisfied by the institution of a system of control on the part of the Swedish Government which might at a later date, in the absence of any contrary obligation, be modified to permit of export. We danced warily around the subject of Russia but Mr. Undén and I had a perfect understanding on this matter. He suggested I was afraid that the Swedish Government might not be able later to resist pressure for granting at some time in the future export licenses for this material. I replied that I was not suggesting that, but that I was apprehensive lest the known existence of such material in Sweden might constitute a great temptation to exert extreme predevelopment for important peacetime uses.

There appears little doubt that the political implications involved in agreeing to our requests are the considerations uppermost in the mind of Mr. Undén. In this respect he doubtless reflects the thinking of the Prime Minister and of others whom he has had to consult. Mr. Undén mentioned in passing that Swedish scientists might find uranium bearing material in this country could offer a large field for development for important peacetime uses.

It is difficult to assess at the present moment the strength of what may be Swedish opposition to committing themselves to the U.S. and Great Britain for a long period of years on this matter, or to assuming a concrete obligation to us with respect to institution of a monopoly on uranium bearing material. This point should become clearer at our next meeting after Mr. Undén and his collaborators have been able to examine our proposals in detail. I hope before this meeting with Mr. Undén takes place that Col. Lansdale and Major Vance and I, together with the British Minister and Mr. Sayers, may have an opportunity for an informal discussion with Mr. Assarsson. I have

suggested this and Mr. Assarsson has agreed. Professor Siegbahn would probably be present at the meeting.

HERSCHEL V. JOHNSON

Department of Defense Files : Telegram

The British Prime Minister (Attlee) to President Truman

LONDON, 11 August, 1945.

Number 2. Personal. Thank you for your telegram number 1 of August 9th.⁷² Since its receipt I have read the admirable statement which you included in your broadcast of August 9th⁷³ which in fact amounts to a declaration of intentions of the kind I had in mind. In these circumstances I think that any joint declaration should wait until the means of control and the implications in the field of international relations have been more fully considered between those concerned. In the meantime I propose myself to issue as soon as possible a statement in the following terms. I hope that all this will be in accordance with your views.

"Since I issued a statement on the day of the release of the first atomic bomb, nearly a week ago, the vast and terrible effects of this new invention have made themselves felt. The last of our enemies has offered surrender. The events of these tremendous days reinforce the words in that statement to the effect that we must pray that the discovery which led to the production of the atomic bomb will be made to conduce to peace among the nations, and that instead of wreaking measureless havoc upon the entire globe, it may become a perennial fountain of world prosperity. President Truman in his broadcast of August 9th has spoken of the preparation of plans for the future control of the bomb, and of a request to Congress to co-operate to the end that its production and use may be controlled and that its power may be made an overwhelming influence towards world peace. It is the intention of His Majesty's Government to put all their efforts into the promotion of the objects thus foreshadowed, and they will lend their full cooperation to the end."⁷⁴

S/AE Files

The Secretary of War (Stimson) to President Truman

WASHINGTON, September 11, 1945.

DEAR MR. PRESIDENT: In handing you today my memorandum⁷⁵ about our relations with Russia in respect to the atomic bomb, I

⁷² See footnote 69, p. 37.

⁷³ Reference is to President Truman's Report to the Nation on the Potsdam Conference; for text, see Department of State *Bulletin*, August 12, 1945, p. 208.

⁷⁴ The text of this statement by Prime Minister Attlee as released is printed in *The Times* (London), August 13, 1945, p. 4, col. 6.

⁷⁵ A manuscript note indicated that this letter and the accompanying memorandum, *infra*, were handed to and discussed with the President by Mr. Stimson on September 12.

am not unmindful of the fact that when in Potsdam I talked with you about the question whether we could be safe in sharing the atomic bomb with Russia while she was still a police state and before she put into effect provisions assuring personal rights of liberty to the individual citizen.⁷⁶

I still recognize the difficulty and am still convinced of the importance of the ultimate importance of a change in Russian attitude toward individual liberty but I have come to the conclusion that it would not be possible to use our possession of the atomic bomb as a direct lever to produce the change. I have become convinced that any demand by us for an internal change in Russia as a condition of sharing in the atomic weapon would be so resented that it would make the objective we have in view less probable.

I believe that the change in attitude toward the individual in Russia will come slowly and gradually and I am satisfied that we should not delay our approach to Russia in the matter of the atomic bomb until that process has been completed. My reasons are set forth in the memorandum I am handing you today. Furthermore, I believe that this long process of change in Russia is more likely to be expedited by the closer relationship in the matter of the atomic bomb which I suggest and the trust and confidence that I believe would be inspired by the method of approach which I have outlined.

Faithfully yours,

[HENRY L. STIMSON]

S/AE Files

*Memorandum by the Secretary of War (Stimson) to President Truman*⁷⁷

[WASHINGTON,] 11 September, 1945.

Subject: Proposed Action for Control of Atomic Bombs

The advent of the atomic bomb has stimulated great military and probably even greater political interest throughout the civilized world. In a world atmosphere already extremely sensitive to power, the introduction of this weapon has profoundly affected political considerations in all sections of the globe.

In many quarters it has been interpreted as a substantial offset to the growth of Russian influence on the continent. We can be certain that the Soviet government has sensed this tendency and the temptation will be strong for the Soviet political and military leaders to acquire this weapon in the shortest possible time. Britain in effect already has the status of a partner with us in the development of

⁷⁶ See *Conference of Berlin (Potsdam)*, vol. II, p. 1155.

⁷⁷ See footnote 75, p. 40.

this weapon. Accordingly, unless the Soviets are voluntarily invited into the partnership upon a basis of cooperation and trust, we are going to maintain the Anglo-Saxon bloc over against the Soviet in the possession of this weapon. Such a condition will almost certainly stimulate feverish activity on the part of the Soviet toward the development of this bomb in what will in effect be a secret armament race of a rather desperate character. There is evidence to indicate that such activity may have already commenced.

If we feel, as I assume we must, that civilization demands that some day we shall arrive at a satisfactory international arrangement respecting the control of this new force, the question then is how long we can afford to enjoy our momentary superiority in the hope of achieving our immediate peace council objectives.

Whether Russia gets control of the necessary secrets of production in a minimum of say four years or a maximum of twenty years is not nearly as important to the world and civilization as to make sure that when they do get it they are willing and cooperative partners among the peace loving nations of the world. It is true that if we approach them now, as I would propose, we may be gambling on their good faith and risk their getting into production of bombs a little sooner than they would otherwise.

To put the matter concisely, I consider the problem of our satisfactory relations with Russia as not merely connected with but as virtually dominated by the problem of the atomic bomb. Except for the problem of the control of that bomb, those relations, while vitally important, might not be immediately pressing. The establishment of relations of mutual confidence between her and us could afford to await the slow progress of time. But with the discovery of the bomb, they become immediately emergent. These relations may be perhaps irretrievably embittered by the way in which we approach the solution of the bomb with Russia. For if we fail to approach them now and merely continue to negotiate with them, having this weapon rather ostentatiously on our hip, their suspicions and their distrust of our purposes and motives will increase. It will inspire them to greater efforts in an all out effort to solve the problem. If the solution is achieved in that spirit, it is much less likely that we will ever get the kind of covenant we may desperately need in the future. This risk is, I believe, greater than the other, inasmuch as our objective must be to get the best kind of international bargain we can—one that has some chance of being kept and saving civilization not for five or for twenty years, but forever.

The chief lesson I have learned in a long life is that the only way you can make a man trustworthy is to trust him; and the surest way to make him untrustworthy is to distrust him and show your distrust.

If the atomic bomb were merely another though more devastating military weapon to be assimilated into our pattern of international relations, it would be one thing. We could then follow the old custom of secrecy and nationalistic military superiority relying on international caution to prescribe [*proscribe?*] the future use of the weapon as we did with gas. But I think the bomb instead constitutes merely a first step in a new control by man over the forces of nature too revolutionary and dangerous to fit into the old concepts. I think it really caps the climax of the race between man's growing technical power for destructiveness and his psychological power of self-control and group control—his moral power. If so, our method of approach to the Russians is a question of the most vital importance in the evolution of human progress.

Since the crux of the problem is Russia, any contemplated action leading to the control of this weapon should be primarily directed to Russia. It is my judgment that the Soviet would be more apt to respond sincerely to a direct and forthright approach made by the United States on this subject than would be the case if the approach were made as a part of a general international scheme, or if the approach were made after a succession of express or implied threats or near threats in our peace negotiations.

My idea of an approach to the Soviets would be a direct proposal after discussion with the British that we would be prepared in effect to enter an arrangement with the Russians, the general purpose of which would be to control and limit the use of the atomic bomb as an instrument of war and so far as possible to direct and encourage the development of atomic power for peaceful and humanitarian purposes. Such an approach might more specifically lead to the proposal that we would stop work on the further improvement in, or manufacture of, the bomb as a military weapon, provided the Russians and the British would agree to do likewise. It might also provide that we would be willing to impound what bombs we now have in the United States provided the Russians and the British would agree with us that in no event will they or we use a bomb as an instrument of war unless all three Governments agree to that use. We might also consider including in the arrangement a covenant with the U. K. and the Soviets providing for the exchange of benefits of future developments whereby atomic energy may be applied on a mutually satisfactory basis for commercial or humanitarian purposes.

I would make such an approach just as soon as our immediate political considerations make it appropriate.

I emphasize perhaps beyond all other considerations the importance of taking this action with Russia as a proposal of the United States—backed by Great Britain—but peculiarly the proposal of the United

States. Action of any international group of nations, including many small nations who have not demonstrated their potential power or responsibility in this war would not, in my opinion, be taken seriously by the Soviets. The loose debates which would surround such proposal, if put before a conference of nations, would provoke but scant favor from the Soviet. As I say, I think this is the most important point in the program.

After the nations which have won this war have agreed to it, there will be ample time to introduce France and China into the covenants and finally to incorporate the agreement into the scheme of the United Nations. The use of this bomb has been accepted by the world as the result of the initiative and productive capacity of the United States, and I think this factor is a most potent lever toward having our proposals accepted by the Soviets, whereas I am most skeptical of obtaining any tangible results by way of any international debate. I urge this method as the most realistic means of accomplishing this vitally important step in the history of the world.

HENRY L. STIMSON

S/AE Files

The Acting Secretary of State to the British Ambassador (Halifax)

WASHINGTON, September 19, 1945.

MY DEAR MR. AMBASSADOR: I have to inform you that according to the procedure agreed between our two Governments, the Government of the United States has negotiated and concluded with the Government of Brazil an Agreement⁷⁸ in the form transmitted to Mr. J. Balfour by letter from the Secretary of State, dated August 27, 1945.⁷⁹

I understand that a representative of the Government of the United Kingdom was present and the interest of the United Kingdom was disclosed to the Brazilian Government at these negotiations. I trust that the Government of the United Kingdom concurs in the terms of the Agreement as finally concluded.

I understand that the Government of the United Kingdom is prepared to assume the same obligations and to acquire the same rights as those it would have assumed and acquired if the Agreement had been made with the Government of Brazil by the Governments of the United States and of the United Kingdom jointly, and the Government of the United States is prepared to do all acts necessary to secure to the Government of the United Kingdom the rights which it would have acquired if the Agreement had been so made.

⁷⁸ *Ante*, p. 20.

⁷⁹ Letter not printed.

In this connection, I propose that the Combined Development Trust should act on behalf of the Governments of the United States and the United Kingdom in all matters relating to the fulfillment of this Agreement.

Sincerely yours,

DEAN ACHESON

S/AE Files

*The Minister in Sweden (Johnson) to the Commanding General,
Manhattan Engineer District (Groves)*

STOCKHOLM, September 22, 1945.

MY DEAR GENERAL GROVES: I received your Top Secret letter of July 6 in London on July 14 from Major Harry S. Traynor. I now enclose the original copy in English of a note to me from Mr. Östen Undén, Swedish Minister for Foreign Affairs, and signed by him. The contents of this note are self-explanatory. A copy was handed by the Foreign Minister to the British Minister and has, I understand, been transmitted by him to London.

Mr. Undén gave, on behalf of his Government, the oral assurance that until the legislation contemplated by the note has become effective, which will put control of uranium-bearing materials completely in the hands of the Government, that the Swedish Government will, through the machinery of existing law, control and prevent the exportation of any uranium-bearing materials. The Government will simply refuse to issue any licenses for export of this material. I understand that the legislation is to be introduced into Parliament early in October and within a month or six weeks thereafter should be in full effect. I requested Mr. Undén also to agree that if any request, formal or informal, by any foreign Power to obtain use of or control of uranium-bearing materials in Sweden should be presented to his Government, that the United States and Great Britain would be immediately informed. Mr. Undén said that he personally was willing to give such an assurance but that he would have to consult with the Prime Minister and certain other colleagues in the Government and get their approval. On September 13 he sent for me and stated that he was authorized to give a formal oral assurance that the United States and Great Britain would be informed immediately of any request by any foreign Power to obtain use of or control of uranium-bearing materials in Sweden, which request might be of a "serious" nature. He explained the expression "serious" by saying that if an ordinary commercial request should be made for supplies of this material, for instance as a coloring agent in the manufacturing

of pottery glazes, it would not be considered a "serious" request. In any event, whether the request should be "serious" or not, exportation would be prohibited by the proposed legislation, and in the meantime licenses for export for any purpose would be refused by the Government.

It is my considered opinion that the obligations undertaken by the Swedish Government in the solemn declaration which is embodied in this note fully achieve our essential purposes. The requests we made in the original draft for exploitation and exclusive export rights to this material were in my opinion impracticable from the Swedish point of view and unobtainable under present world conditions.

I would like to express to you the appreciation I feel for the very able and invaluable services of Colonel Lansdale and Major Vance in the negotiation of this agreement. Colonel Lansdale will fill in this report to you orally when he returns to Washington. He and Major Vance kept a daily record of our progress and that, I believe, is already in your hands.

I should add that no papers in connection with this matter are being kept in the files of this Legation. All those papers which Colonel Lansdale and I considered important are being returned to Washington and the others are being burnt. There is only one English copy of the agreement in the secret files of the Swedish Government, together with one copy of a Swedish translation.

I am likewise enclosing a Swedish translation furnished by the Foreign Office of the English note.

Sincerely yours,

HERSCHEL V. JOHNSON

[Enclosure]

The Swedish Minister for Foreign Affairs (Undén) to the American Minister (Johnson)

STOCKHOLM, September 11, 1945.

MONSIEUR LE MINISTRE: The proposals that you, together with the British Minister, handed over to me on August 3rd, 1945,⁸² have been subject to a close study by those members of the Swedish Government whom they would most directly concern. After these deliberations, my colleagues and my-self have come to the following conclusions.

We consider it excluded, were it but on constitutional grounds, that the Swedish Government, without the knowledge and assent of the Riksdag, or at any rate of the Utrikesnämnd,⁸³ would enter into an agreement with the United States and United Kingdom Governments.

⁸² See memorandum by the Minister in Sweden, August 10, p. 37.

⁸³ Foreign Affairs Committee of the Riksdag.

along the lines indicated in the proposals. Much the less can single members of the Swedish Government, nor legally nor *de facto*, restrain Sweden's liberty of action in such an important question, in the manner proposed.

Political considerations make it equally impossible for the Swedish Government to put an option relating to uranium materials, by means of a secret agreement, in the hands exclusively of two of the great Powers of the world.

My colleagues and my-self highly appreciate, however, the noble motives inspiring the proposals of the two Governments. We are likewise fully aware that it is of an extraordinary importance that these minerals should be exploited under such a control as to prevent misuse. The Swedish Government will, therefore, choose a line of conduct which—even though it does not correspond with the proposals of the two Governments—nevertheless serves the same purpose.

Accordingly, the Swedish Government intend to propose to the Riksdag, at an early date, to adopt legal provisions to the effect, on the one hand, that uranium materials may not be mined or exploited without consent of the Government, and, on the other, that the export of these materials will be prohibited. By passing such a law, the Government and the Riksdag would announce to the world their firm intention to see to it that Swedish uranium resources are not exported to any other country, but are in their entirety reserved for use within Sweden and under the control of the Government. It is the hope of the Swedish Government that the United States and United Kingdom Governments will consider this announcement as a guarantee that the policy thus defined will be sustained, and that the two Governments will find that one of their substantial objects in making the request, will thereby be attained.

The Swedish Government also desire to assure the United States and United Kingdom Governments that should the Swedish Government desire, or find it necessary, for any reason, to change the policy set out in this note, the Swedish Government will give to the United States and United Kingdom Governments the first opportunity to discuss the results of such a change of policy and to arrive at mutually satisfactory arrangements.

Please accept [etc.]

ÖSTEN UNDÉN

S/AE Files

The British Ambassador (Halifax) to the Acting Secretary of State

WASHINGTON, September 24, 1945.

DEAR MR. ACHESON: I have the honor to refer to your letter of 19th September referring to an Agreement negotiated and concluded be-

tween the Government of the United States and the Government of Brazil, the text of which was transmitted to Mr. J. Balfour by letter from the Secretary of State, dated 27th August, 1945.⁸⁴

The Government of the United Kingdom concurs in the terms of the Agreement as finally concluded.

I confirm that the Government of the United Kingdom is prepared to assume the same obligations, and to acquire the same rights as those it would have assumed and acquired if the Agreement had been made with the Government of Brazil by the Governments of the United States and of the United Kingdom jointly. The Government of the United Kingdom accordingly agrees to do all the acts which it would have been obliged to do if the Agreement had been so made.

The Government of the United Kingdom concurs in the proposal that the Combined Development Trust should act on behalf of the Governments of the United States and the United Kingdom in all matters relating to the fulfillment of the Agreement.

Sincerely yours,

HALIFAX

S/AE Files

Memorandum by the Acting Secretary of State to President Truman

WASHINGTON, September 25, 1945.

Subject: U. S. Policy Regarding Secrecy of Scientific Knowledge
About Atomic Bomb and Atomic Energy.

The conclusion of this memorandum is that a policy of secrecy is both futile and dangerous and that the real issues involve the methods and conditions which should govern interchange of scientific knowledge and the international controls which should be sought to prevent a race toward mutual destruction.

The premises upon which this conclusion rests are as follows:

(1) Scientific opinion appears to be practically unanimous that the theoretical basic knowledge is widely known at present; that foreign research can come abreast of our present knowledge in a comparatively short time; that foreign industrial engineering and development in, for instance, the Soviet Union, can equal our present development in about five years; that there is little prospect of developing effective defensive measures against the bomb. In other words, what we know is not a secret which we can keep to ourselves; once known to others, there is no certain way that we can protect ourselves from its use against us.

(2) This scientific knowledge does not relate merely to another and more powerful weapon. It relates to a discovery more revolutionary in human society than the invention of the wheel, the use of metals, or the steam or internal combustion engine. Its de-

⁸⁴ Letter not printed.

velopment cannot be suppressed or confined to one country. Development on the destructive side, as on other sides, is in its infancy and sober scientists contemplate the possibility of explosives which, when combined with the rocket principle, will be capable of the mutual destruction of vast areas which employ it against one another. In other words, if the invention is developed and used destructively there will be no victor and there may be no civilization remaining. The advantage of being ahead in such a race is nothing compared with not having the race.

(3) The moral and political nature of our people is such that the use of the atomic bomb for an unwarned attack on another nation is not a practical possibility. Therefore, the advantage of unannounced attack would be with others.

(4) At the present time the joint development of this discovery with the U.K. and Canada must appear to the Soviet Union to be unanswerable evidence of an Anglo-American combination against them. To their minds, there is much other evidence of this.

(5) It is impossible that a government as powerful and power conscious as the Soviet Government could fail to react vigorously to this situation. It must and will exert every energy to restore the loss of power which this discovery has produced. It will do this, if we attempt to maintain the policy of exclusion, in an atmosphere of suspicion and hostility, thereby exacerbating every present difficulty between us. For us to declare ourselves trustee of the development for the benefit of the world will mean nothing more to the Russian mind than an outright policy of exclusion.

(6) Over-all disagreement with the Soviet Union seems to be increasing. Yet I cannot see why the basic interests of the two nations should conflict. Any long range understanding based on firmness and frankness and mutual recognition of the other's basic interests seems to me impossible under a policy of Anglo-American exclusion of Russia from atomic development. If it is impossible, there will be no organized peace but only an armed truce.

(7) The question whether or not to attempt a program of mutual exchange of information and cooperation in this field with the Soviet Union cannot be avoided by proposals for control by the United Nations Organization. The United Nations cannot function in this field without agreement between the United States, the United Kingdom, and the U.S.S.R. This agreement, if it is to be reached, should be attempted directly and not with the added complication of fifty or more other countries being involved at the start.

(8) Without the same informed and extensive public discussion that preceded the San Francisco Conference⁸⁵ and an opportunity to hear fully the opinions of the scientists on which the scientific premises are based, the public and Congress will be unprepared to accept a policy involving substantial disclosures to the Soviet Union. But postponement of an approach to the USSR is also untenable. The resulting deterioration in Russian relations would not only adversely color our domestic discussions but would also make the Russian attitude less favorable for an ultimate program of collaboration. It

⁸⁵ Reference is to the United Nations Conference on International Organization, held in San Francisco, April 25-June 26, 1945; for documentation on this Conference, see vol. 1, pp. 1 ff.

is necessary that public opinion be given an opportunity to mature at the same time that action is taken to prevent Russian fear and suspicion from increasing and crystallizing.

Recommendations—

That an approach be made by the United States to the Soviet Union after discussion with the British, as required by our arrangements with the latter, having for its purpose the working out of a program of mutual exchange of scientific information and collaboration in the development of atomic power to proceed gradually and upon condition:

First, that the exchange should be mutual and that we become convinced that United States scientists are being fully informed of Soviet developments;

Second, that an agreement be reached on mutual renunciation of further development of the destructive features with adequate opportunity for inspection to give mutual confidence that this was being done;

Third, that initially and perhaps permanently, depending on developments, collaboration should go forward on the development of atomic power and not on the production of the military weapon; and

Fourth, that a plan be worked out to extend these principles to other countries in due course, probably through the mechanism of the United Nations.

This approach to the Russians would seek to reach an agreement on the terms under which full collaboration would later proceed. It need not involve at this time any disclosures going substantially beyond those which have already been made to the world.

Concurrently with the initiation of these discussions with the Soviet Union, the President might send a message to the Congress stating the reasons which lead him to urge an ultimate program of collaboration and which make necessary the immediate approach to the USSR, recommending that the Congress proceed with its own full consideration of the problem of atomic energy, indicating the type of domestic legislation favored by the President, and stating that the outcome of the negotiations with the Russians will be reported to the Congress as soon as they are completed and that requests for Congressional action will be made on any resulting agreements requiring it.

DEAN ACHESON

S/AE Files

Memorandum by Major John E. Vance, on the Staff of the Commanding General, Manhattan Engineer District (Groves)

25 September, 1945.

1. Col. Lansdale and the undersigned arrived in Stockholm on 5 August in response to a request by Mr. Herschel V. Johnson, the

United States Minister to Sweden. During the first meeting with Mr. Johnson he reported that he had made the initial approach to the Swedish Government based on the draft instructions dated 20 July 1945, which had been transmitted to Mr. Johnson in London. Prior to 5 August, Mr. Johnson had seen Mr. Stig Sahlin (Secretary General of the Swedish Foreign Office). Mr. Assarsson (Deputy Secretary General) and Mr. Undén, who became Foreign Minister on 1 August. Mr. Johnson reported that he had been told by Mr. Sahlin that there was no doubt that the Swedish Government would agree to control the Swedish materials but some doubt was expressed that the Swedish Government would agree to US and UK control of their uranium supply for a long period of years. Mr. Johnson also stated that Mr. Per Albin Hansson, the Prime Minister, had been informed of our requests by Mr. Undén.

2. After a discussion with Mr. Johnson and the British representatives (Mr. Jerram, the British Minister to Sweden, and Mr. Sayers) the draft of 7 August⁸⁶ was prepared. On the morning of 7 August the Stockholm papers carried the story of the atomic bomb. Mr. Johnson was of the opinion that the publicity would not be harmful since it emphasized the great importance of the matter and the need for speedy conclusion of the agreement.

3. The draft of 7 August, approved by the two Ministers, was taken by Mr. Johnson to the Foreign Office on 8 August where he saw both Mr. Undén and Mr. Sahlin. At this meeting it was apparent that the Swedish Government was well aware of the necessity of controlling these materials but that they believed any action which would place the control of Swedish uranium-bearing materials in the hands of the US and UK would jeopardize the strict neutrality which has been maintained by the Swedish Government; in other words, they felt they would have to refuse any requests made by the US and UK since they firmly intended to refuse any requests made by Russia.

4. On 15 August a meeting was held with the following present: Mr. Assarsson, Mr. Johnson, Mr. Jerram, Mr. Labouchère (Counselor of the British Legation), Prof. Siegbahn (Physics Professor at Stockholm University), Col. Lansdale, Mr. Sayers and Maj. Vance. Mr. Assarsson, for the Swedish Government, said that the purpose of the meeting was to obtain information which could be presented to the Prime Minister so that he might better understand the purpose of the agreement. Col. Lansdale then presented the required background in a very general way. Mr. Assarsson pointed out that other large countries would probably seek Swedish supplies though no approach had yet been made. Mr. Johnson replied that this emphasized the need for control of Swedish resources by the US and UK because of their military value and expressed the opinion that it would be

⁸⁶ Not printed.

to the best interests of the Swedish Government to enter into an obligation with the US and UK so that future demands by other governments could be referred to them.

5. On 16 August, Mr. Jerram advised Mr. Johnson that a message had been received from the British Government which took exception to the draft of 7 August with respect to the provisions concerning a firm commitment to purchase materials and the stimulation of Swedish production. After discussing the two points with Washington and London, a new draft was prepared on 22 August⁸⁷ in order to avoid a delay in the negotiations. The draft was concurred in by the two Ministers; one copy was forwarded to General Groves and one copy to Mr. Rickett.

6. On 28 August, Mr. Johnson met with Mr. Undén for a lengthy discussion of the proposed agreement. Mr. Undén made several objections to the proposals: (a) acceptance of the proposals in full would mean a virtual abandonment of the basic Swedish policy of neutrality; (b) The agreement would make Sweden's position more difficult politically if an approach was subsequently made by other powers; (c) there was a serious question of the legality of an agreement concluded by the Swedish Government without reference to the secret Joint Foreign Affairs Committee of the two Houses of the Swedish Riksdag.

Mr. Undén added that the Swedish Government would have no hesitation in participating in an international arrangement for the control of uranium materials.

In reply to Mr. Undén, Mr. Johnson pointed out: (a) that the position of the Swedish Government would be, in fact, much stronger in relation to other powers if committed to the US and UK on a contractual basis; (b) since the US and UK already possessed control of the majority of the world's resources, a continued Swedish policy of neutrality with respect to these materials might possibly be a dangerous temptation to outsiders; (c) while he recognized there would be some question of the validity of the agreement beyond the life of the present Swedish Government, that was a risk we would have to relation to other powers if committed to the US and UK on a control was a matter for future action and that such a possibility should not influence present negotiations.

As a result of the above discussion, Mr. Johnson believed it would be imprudent to press the Swedish Government for an immediate decision.

7. On 11 September, Mr. Johnson reported he had seen the Prime Minister. The Prime Minister stated that Sweden could not possibly conclude an agreement along the lines suggested for the following reasons: (a) essential security could not be maintained because of the

⁸⁷ Not printed.

constitutional requirement that such an agreement be submitted to the Joint Foreign Affairs Committee of the Riksdag, consisting of 32 members, which also has the power to put the matter before the entire Riksdag; (b) it was impossible to word the agreement in such a way that it would not be regarded by Russia as a political act of an unfriendly nature on the part of Sweden and would result in a further deterioration of the relations between the two countries; (c) the US and UK could not make themselves responsible for the relations between Sweden and Russia.

In place of meeting our requests, the Prime Minister stated that Sweden was prepared to guarantee that none of the materials would be exported and that suitable legislation would be enacted in the very near future. He further pointed out that temporary control could be effected by existing laws which require all exports to be licensed by the government. The Prime Minister said that the Swedish reply would take the form of a unilateral declaration in a letter to Mr. Johnson and would not be made public in Sweden.

After a discussion with Mr. Johnson, it was decided to request the Swedish Government to include the following points in their reply: (a) that information be made available to the US and UK both now and in the future, on Swedish resources and the exploitation and production of uranium-containing materials; (b) that the two governments be informed immediately if the Swedish Government found it advisable in the future to collaborate with other powers in the exploitation of their resources that the US and UK be given first opportunity to make mutually satisfactory arrangements; (c) in the event that the Swedish Government rescinds their restrictions on the exports of these materials that the US and UK be given first refusal for the purchase of such materials.

9. On 11 September, Mr. Johnson, the British Minister and Col. Lansdale met with Mr. Undén and Mr. Assarsson to discuss the Swedish reply and to request the inclusion of the three points in the above paragraph. The Swedish representatives stated that they would give an oral assurance to furnish information and that they could not agree to giving us first refusal in the event that restrictions on exports were lifted in the future. With slight change, the provision with respect to future collaboration in the event of a change of policy was incorporated in the note.⁸⁸ At our request, Mr. Undén and Mr. Assarsson agreed to advise us in the event that the Swedish Government was approached by any other power with respect to same or similar matters. For obvious reasons they objected to incorporating such a statement in the note.

JOHN E. VANCE

⁸⁸ See note from the Swedish Minister for Foreign Affairs to the American Minister, September 11, p. 46.

S/AE Files

*Memorandum by the Acting Secretary of War (Patterson)⁸⁹ to
President Truman*

[WASHINGTON,] September 26, 1945.

PROPOSED ACTION FOR CONTROL OF ATOMIC BOMBS

This memorandum is in response to your request for the views of those present at cabinet meeting on September 21st, concerning the action to be taken for future control of atomic bombs, particularly in reference to Russia.

I am in thorough agreement with the position taken by Secretary Stimson in his memorandum to you of September 11th. His memorandum recommends that, after discussion with Britain, we should approach Russia with a proposal to make an agreement limiting use of the atomic bomb as an instrument of war and encouraging development of atomic energy for peaceful purposes. Such an approach, more specifically, might lead to a proposal to stop work on the manufacture and further development of the atomic bomb as a military weapon, provided Russia and Britain should make the same engagement; and we might also state our readiness to impound the atomic bombs we have on hand, provided the three powers should agree that none would use the atomic bomb as an instrument of war unless all agreed to such use. We should also state our willingness to provide for exchange of benefits of future developments for use of atomic energy for industrial and humanitarian purposes.

As I see the matter, the great need is to do everything in our power to make sure that the atomic bomb is controlled in the way best calculated to insure world peace, not merely for the next ten or twenty years but for the long-range future.

The best qualified experts, meaning the scientists, industrialists and Army officers who have been most closely engaged in the production of the atomic bombs, have advised Secretary Stimson that they have no doubt that Russia could, without any aid or assistance from us, produce atomic bombs within a period of from four to twenty years. In other words, we can take it as fairly certain that our present control of atomic bombs to the exclusion of Russia will not extend beyond twenty years at the outside.

That fact, to my mind, is of the most fundamental importance, and it should serve as the guide to our international policy. It means, as I see it, that we should exert our best efforts to prevent an armament race in production of atomic bombs, even though we now have

⁸⁹ Under Secretary of War Robert P. Patterson became Secretary of War on September 27, 1945.

and probably would continue for some time to have the military advantage of a start in such a contest.

There is another fundamental consideration. Our best-qualified scientists who have worked on production of atomic bombs have also advised Secretary Stimson that the waging of war by use of atomic bombs, as they are likely to be developed further if an armament race is carried on, may well mean the end of civilization. If these men are right, and they may be, their conclusion makes it all the more compelling that an international arrangement for control of atomic bombs be arrived at.

Secretary Stimson's recommendations, it may be noted, do not include the point that the secret ordnance procedures having to do with production of atomic bombs as weapons of war should be revealed to Russia or any other nation.

[For a report on the Soviet Union's interest in and capacity for unilateral development of atomic energy, see despatch 2151, September 30, from Moscow, volume V, page 884.]

[On October 3, 1945, President Truman sent to the Congress a Special Message on Atomic Energy; for text, see *Public Papers of the Presidents of the United States: Harry S. Truman, Containing the Public Messages, Speeches, and Statements of the President, April 12 to December 31, 1945* (Washington, Government Printing Office, 1961), pages 362-366. For an account of discussions leading to this message, see *The New World, 1939/1946*, pages 408-427.]

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*Minutes of a Meeting of the Secretaries of State, War, and Navy,
October 10, 1945, 10:30 a.m.*

[Extracts]

Present: The Secretary of State
The Secretary of War, accompanied by Mr. George L.
Harrison
The Secretary of the Navy, accompanied by Mr. J. E.
Geilfuss
Mr. Matthews⁹⁰

MR. BYRNES said that he had had a long talk with Mr. Stimson just before leaving for London and had begged him not to recommend to

⁹⁰ H Freeman Matthews, Director of the Office of European Affairs.

the President discussion of international consultation in his message. Mr. Byrnes added that he felt himself in closest agreement with the views of General Groves and that we do not yet know enough about the whole question of atomic energy or the future world situation to discuss the international cooperation aspects. Mr. HARRISON said that he agreed with Mr. Byrnes on the matter of timing of the discussion but sided with Secretary Stimson on the question of ultimate authority. Mr. FORRESTAL emphasized that the Navy wants to be heard at that stage and that he has definite views on the matter. Mr. PATTERSON said that the State Department wanted both the domestic and the international treatment of the bomb discussed in the President's message which had been drafted by Judge Rosenman.⁹¹ Mr. BYRNES added that it was going to create difficulties for him and that he could foresee that at future meetings Molotov⁹² would refer to the President's statement and ask to discuss the whole question of the control of the atomic bomb. Mr. FORRESTAL said that there was also great danger of increased pressure in support of international control from within this country. Mr. BYRNES said he agreed that the pressure would be both internal and from abroad and that he intended to talk further with the President. He felt that before any international discussion of the future of the bomb could take place we must first see whether we can work out a decent peace. Mr. HARRISON pointed out that the British wished to discuss the matter of a common approach to the problem in the light of the President's statement. Mr. BYRNES said he realized this and regretted public discussion of that aspect. Stettinius, he said, wanted to put in a reference to the atomic bomb in a speech he is making in London and he had told him to take out all reference to the bomb. Mr. FORRESTAL asked whether we were going to turn the bomb over to "a piece of paper". Mr. BYRNES recalled that Churchill had been most determined that no one should be told about the bomb and had not even wished to talk about it with Attlee.

Mr. BYRNES said that he would be glad to meet with the committee on Saturday⁹³ and that he would plead with the President not to push the question of consultation.

There was further discussion of the British desire to have Presidential approval to Halifax's appointment to the committee and there was general agreement that this was not necessary. Mr. PATTERSON

⁹¹ Samuel I. Rosenman, Special Counsel to President Truman. For text of President Truman's Message to Congress, October 3, 1945, see *Congressional Record*, vol. 91, pt. 7, p. 9322.

⁹² Vyacheslav Mikhailovich Molotov, People's Commissar for Foreign Affairs of the Soviet Union.

⁹³ Reference is to the Meeting of the Combined Policy Committee, October 13; for extracts from the minutes, see *infra*.

suggested it would be adequate to record in Saturday's meeting the Committee's "satisfaction" that Lord Halifax would join them.

MR. FORRESTAL expressed his fears that the British might wish to utilize the committee to consider the whole question of the future of the bomb *de novo* and that he would be inclined to the view that it would be better to consider the Committee defunct. MR. BYRNES suggested that the question was one to be given some thought and suggested that the three secretaries think over between now and Saturday the desirability of continuing the committee. This was generally agreed upon. MR. HARRISON pointed out that a whole chain of committees depended upon this principal one and that this factor should likewise be given thought. . . .

SCI Files

Minutes of a Meeting of the Combined Policy Committee

[Extracts]

[WASHINGTON,] October 13, 1945.

Present:

Members: The Secretary of War, Chairman
The Rt. Hon. Earl of Halifax
Field Marshal Sir Henry Maitland Wilson
Dr. Vannevar Bush

By Invitation: The Canadian Ambassador, Mr. L. B. Pearson
(representing the Hon. C. D. Howe)
Sir James Chadwick
Mr. George Harrison
Mr. Benjamin Cohen ⁹⁴ (representing the Secretary of State)

Joint Secretaries: Major General L. R. Groves
Mr. Roger Makins

X. Research and development in the United Kingdom.

LORD HALIFAX said that he had been asked by the Prime Minister to inform the Committee that the British Government propose to set up a Research Establishment in the United Kingdom to deal with all aspects of atomic energy. This establishment will include a pile to provide material for research and development.

At the same time, some internal reorganization has taken place in the United Kingdom. The responsibility for the research establish-

⁹⁴ Counselor of the Department of State.

ment will rest with the Minister of Supply.⁹⁵ The Prime Minister will continue to exercise general supervision over all aspects of policy on the use of atomic energy, and the Advisory Committee under Sir John Anderson, will report to him as at present.

The British Government is also considering what they should do in regard to large-scale plants for the production of fissile material, but have not yet come to any conclusions on this matter.

These steps will enable the British Government to play their part in any common plan for the development of atomic energy.

THE COMMITTEE: Took note of this statement.

MR. HARRISON said that he assumed that the decision to set up a pile would result in a request by the British members for some modification of the present allocation of raw materials which had been approved by the Combined Policy Committee.⁹⁶ He asked whether it was desired to discuss the point at its present meeting.

SIR JAMES CHADWICK said that it was premature to raise this question before His Majesty's Government had decided their general policy in regard to production of material.

The Committee then adjourned.

L. R. GROVES
ROGER MAKINS

S/AE Files

*The British Prime Minister (Attlee) to President Truman*⁹⁷

[LONDON,] 16 October, 1945.

DEAR MR. PRESIDENT: Thank you for your letter of the 5th October in reply to mine of the 25th September which I wrote with a sense of the urgency of our facing up to the problems of the atomic bomb. I am now also being subjected to heavy Parliamentary pressure from both Parties to make a statement on the Government's policy. I have to reply to a Question tomorrow.

It is my desire to exchange views with you before making a further statement but it will not be possible for me to postpone discussion for long.

It is our view here that the meeting of Foreign Ministers⁹⁸ was overshadowed by the problem, and that the prospective conference

⁹⁵ John Wilmot.

⁹⁶ See minutes of the meeting of the Combined Policy Committee, July 4, paragraph 6, p. 13.

⁹⁷ Forwarded to the Secretary of State on October 24 for preparation of a suitable reply for the President's signature.

⁹⁸ The First Session of the Council of Foreign Ministers had been held at London, September 11–October 2; for documentation, see pp. 99 ff.

of the United Nations⁹⁹ will be jeopardised unless we have some clearness on our own attitude to the problem.

I have been discussing the matter with Mackenzie King,¹ who is here. He takes the same view as I do of the urgency of the problem. I should like to receive your views and I think it important that you and I and Mackenzie King should have a discussion as soon as possible. I need hardly say that I am prepared to come over as soon as convenient.

Yours sincerely,

C. R. ATTLEE

740.00119 EW/10-1645

*Minutes of a Meeting of the Secretaries of State, War, and Navy,
October 16, 1945, 10:30 a.m.*

[Extracts]

Present: The Secretary of State

The Secretary of War, accompanied by Colonel Charles
McCarthy²

The Secretary of the Navy, accompanied by Major Correa³
Mr. Matthews

ATOMIC ENERGY

MR. PATTERSON brought up the question of atomic energy. He said that the British have in mind the statement in the President's message that he intends to follow up with consultations with Britain and Canada and later with others. He wanted to know what the channel would be—whether the talks would be through regular diplomatic channels or through some other procedure. Dr. Bush, he said, had informed him that Attlee was coming over and perhaps the President would discuss this with him. Mr. Patterson said that he had no preference. MR. BYRNES remarked that he had one view on this matter, namely, the overemphasis placed on the views of the scientists. He said that he bowed to them in their ability to develop the bomb but on the question of giving information to others he thought the scientists were no better informed than he was on the construction of the bomb. MR. PATTERSON said that the British and Canadians were under present Russian [*Quebec?*] agreement in effect junior partners

⁹⁹ The First Session of the United Nations General Assembly was to meet in London, January 10–February 14, 1946.

¹ William Lyon Mackenzie King, Canadian Prime Minister and Secretary of State for External Affairs.

² Secretary of the State–War–Navy Coordinating Committee (SWNCC).

³ Lt. Col. Mathias F. Correa, Special Assistant to the Secretary of the Navy.

in the business and have a good stand in their request to be consulted. MR. FORRESTAL pointed out that neither have as yet the means or capacity for producing the bomb. MR. PATTERSON said that he believed the British had only one pilot plant on plutonium. MR. BYRNES said that to him the question depends entirely on our ability to inspect plants in other countries. If we are not able to inspect such plants he thought we are all agreed that we should not give information with regard to our methods of manufacture. He said that in a meeting he had asked General Marshall ⁴ whether his experience in dealing with the Russians justified him in relying on the United Nations Organization to inspect Russian plants and in telling the American people that he could rely on such inspection. MR. BYRNES said that he was only going on the basis of past experience and he did not feel that this justified any such confidence. MR. PATTERSON said that the President, he thought, had in mind only a gradual approach and that in no event would information on the industrial manufacture of the bomb be given to others. He said that we were, however, committed to talks with the British and Canadians to a certain extent. MR. BYRNES remarked that Oppenheimer ⁵ had impressed him considerably and he thought that General Groves knew more about the problem than any of the people from Dupont, Union Carbide or Eastman. He said that we can't get into Rumania and Bulgaria much less Russia and that it is childish to think that the Russians would let us see what they are doing. He added the query whether if Russia made an agreement today we would want to rely on it. He pointed in this connection to the fact that though they had a formal treaty of non-aggression with Japan the Russians, as far back as Yalta, were making definite plans for their attack upon Japan. He added that Stalin and Molotov would probably be insulted today if you implied that they had intended to keep their solemn treaty with Hitler. By implication of the same process of reasoning, it would not be wise for us to rely on their word today. MR. PATTERSON inquired whether when Attlee arrives Mr. Byrnes will take up with him the matter of channel through which the talks will be conducted. He said that he was agreeable to having it done here through the State Department or through the Combined Policy Committee on Atomic Energy. MR. BYRNES remarked that in his opinion the principal reason Russia wants Libya has to do with uranium. He pointed to the map how a Soviet base in Libya would facilitate their access right down to the Belgian Congo.

⁴ General of the Army George C. Marshall, Chief of Staff, United States Army.

⁵ J. Robert Oppenheimer had been Director of the Manhattan District Project Laboratory at Santa Fe, New Mexico.

MR. PATTERSON inquired whether the Russians are really serious with regard to Libya and MR. BYRNES replied emphatically in the affirmative. He said it was the cause of all his troubles and mentioned Gromyko's ⁶ approach on this question at Potsdam.⁷ . . .

740.00119 EW/10-2345

*Minutes of a Meeting of the Secretaries of State, War, and Navy,
October 23, 1945, 10:30 a.m.*

[Extracts]

Present: The Secretary of State
The Secretary of War, accompanied by Colonel Charles W. McCarthy
The Secretary of the Navy, accompanied by Lieut. Colonel Correa
Mr. Matthews

ATOMIC ENERGY

MR. PATTERSON brought up the question of the channel of negotiations with the British and Canadians. MR. BYRNES said that the President had spoken to him of the forthcoming visit of Prime Minister Attlee but had expressed no views on the nature of the discussions. The President wants Mr. Byrnes and Admiral Leahy⁸ to be present and it is contemplated that the visit will take place about November 11 or 12. Mr. Byrnes wanted to delay the announcement until November 6 since there would be lots of speculation to the effect that Mr. Attlee was coming over to talk about Palestine. However, he has agreed to Lord Halifax's proposal to announce the visit on November 1 and to say that it is for the purpose of discussing the atomic bomb.

MR. BYRNES referred to a visit he had received from Dr. Oppenheimer who thought that Stalin should have been approached with regard to the atomic bomb a month ago and that there should be no

⁶ Andrei Andreyevich Gromyko, Soviet Ambassador to the United States.

⁷ Presumably the reference to the Potsdam Conference is in error, but for an exchange of letters between the Acting Chairman of the Soviet Delegation to the San Francisco Conference and Secretary of State Stettinius, June 20 and 23, 1945, on this general subject, see vol. I, pp. 1398 and 1428, respectively. For discussion of this exchange of letters at the 15th Meeting of the Council of Foreign Ministers in London, September 21, 11 a. m., see *post*, pp. 288, 297.

⁸ Fleet Adm. William D. Leahy, Chief of Staff to the Commander in Chief of the Army and Navy.

delay in discussions. Oppenheimer did, on the contrary, think that legislation on the subject in this country should be delayed. Mr. Byrnes had replied that he thought the pending bill on the whole is a good one, but that possible amendments should be given careful consideration and there should be full study. On the international aspects Mr. Byrnes informed him that while he had great admiration for Dr. Oppenheimer's scientific attainments, he did not believe that he knew the facts or had the responsibility for the handling of international affairs. He pointed out that the American people had elected Mr. Truman President and that the responsibility is his and Mr. Byrnes'.

MR. PATTERSON pointed out that the President's message to Congress called for sound consultation. The difficulty is that the scientists are restless under any control or restrictions. He thought that he had brought Dr. Oppenheimer back on the track and that the latter now favored the passage of adequate legislation. The scientists with experience in public affairs like Dr. Bush and Dr. Conant are all right. The same is true of the top scientists who have been working on the problem, but the smaller fry partly through earnest conviction and partly through the desire to sound off are restive. They are men who are less stable and in fact do not know what they want in the handling of atomic energy. On the international aspect, however, all the scientists were of one mind that the secret of construction can be kept only for a five to fifteen year period. The only problem is one of industrial capacity for production and he thought that Mr. Stimson's memorandum of September 11 contained the sound approach. He thought it provided for a broad and gradual development and is based upon good will on both sides and the exchange of information and right of visitation.

MR. BYRNES agreed that the whole problem of cooperation is predicated on free inspection at all times. He cited the fact that we cannot recognize the Rumanian and Bulgarian regimes because we cannot get information on conditions there and our representatives have difficulty in getting around. If this is true in Rumania and Bulgaria, it is considerably more true in Soviet Russia and he had asked Dr. Oppenheimer whether full inspection under conditions such as he described could be had in the Soviet Union today. Dr. Oppenheimer, he said, finally admitted that this situation was pretty bad. MR. PATTERSON said that he wants Mr. Byrnes to make sure that all the facts are understood and then it is up to the State Department to decide what to do about it.

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S/AE Files

*Memorandum by Captain R. Gordon Arneson to the Secretary of War
(Patterson)*

[WASHINGTON,] 17 April, 1946.

Subject: Negotiations with the British and Canadians, November 1–November 16, 1945

There follows a chronological recital of the events of last November relating to discussions with the British concerning collaboration in the field of atomic energy. This recital of the facts is derived from the day by day record which I kept during this period. Pertinent documents are appended.

1 November

Secretary Patterson wrote Secretary Byrnes today strongly urging that the State Department undertake a thorough examination of the international phases of atomic energy in preparation for the arrival of Prime Minister Attlee. He stressed particularly the problem of the war-time Quebec Agreement and its relation to the post-war situation. While stating that this was a State Department matter, he offered the assistance of the War Department in pulling the facts together. (Tab A)⁹

Following up the letter, Secretary Patterson had an hour's conference this afternoon with Secretary Byrnes, during which he again urged prompt and thorough preparation for Attlee's visit. Secretary Byrnes was non-committal.

2 November

Late this afternoon when he was discussing with Dr. Bush the forthcoming conference with the British and the Canadians, Secretary Patterson called in Lt. Arneson and asked him to prepare a study of the current situation under the Quebec and Combined Development Trust Agreements and a tentative set of U. S. proposals for discussion. It was agreed that the proposals should follow the lines of Secretary Stimson's memorandum of September 11, and Secretary Patterson's of September 26 and should outline the several stages of negotiations, viz.: revision of agreements with the British and the Canadians, approach to Russia, and finally an approach to the UNO.¹⁰ It was agreed further that Dr. Bush's memorandum to the President of September 25,¹¹ which went into some detail, should be used as a

⁹ Letter from Secretary of War Patterson to Secretary of State Byrnes, November 1, not printed.

¹⁰ United Nations Organization.

¹¹ For summaries of Dr. Bush's views as expressed in this memorandum, see *The New World*, 1939/1946, p. 421; also, *Memoirs by Harry S. Truman*, vol. 1: *Year of Decisions* (Garden City, N.Y., Doubleday and Co., Inc., 1955), p. 527.

guide in the preparation of the study. Secretary Patterson remarked that while the study might never see the light of day, it should be ready in the event it was called for. Even though it might not be wanted by Secretary Byrnes it would, in any event, serve to jell Secretary Patterson's thinking on the subject.

7 November 1945

The study prepared by Lt. Arneson was transmitted to Secretary Patterson this morning. The section suggesting a set of U. S. proposals that might be used as a basis for discussion with the British was purely tentative and was put forward merely as a point of departure for further consideration by the Secretary and his advisers.

10 November 1945

On the basis of the discussion they had had with Secretary Patterson the day before, General Groves, Dr. Bush, and Mr. Harrison met in General Groves' office this morning to revise the U. S. proposals for discussion. Lt. Volpe and Lt. Arneson were present. The revision spelled out in greater detail our proposals for continuation of cooperation with the British and the Canadians and suggested only in general terms the nature of the approach which the three governments might agree the United States should make to Russia. The further step of setting up an organ of the UNO to control the field of atomic energy was stated as an ultimate objective, to be achieved, however, only after a considerable period and only after the effective cooperation of Russia had been proven in practice. As regards our relations with the U. K. and Canada, the recommendations made it clear that in exchange for the abrogation of Clause IV of the Quebec Agreement¹³ in any new agreement that might be arrived at the U.K. should undertake to bring under the control of the CDT and subject to allocation by the CPC on an actual use basis all uranium and thorium ores situated anywhere within the British Commonwealth. (Tab B)¹⁴

¹³ Text of this section of the Quebec Agreement, August 19, 1943, is as follows: "Fourthly, that in view of the heavy burden of production falling upon the United States as the result of a wise division of war effort, the British Government recognize that any post-war advantages of an industrial or commercial character shall be dealt with as between the United States and Great Britain on terms to be specified by the President of the United States to the Prime Minister of Great Britain. The Prime Minister expressly disclaims any interest in these industrial and commercial aspects beyond what may be considered by the President of the United States to be fair and just and in harmony with the economic welfare of the world." (TIAS No. 2993, or 5 UST 1115)

¹⁴ Not printed. These tentative United States proposals also called for prior consultation by the United States with the United Kingdom and Canada prior to use of atomic weapons as a means of warfare.

11 November 1945

Mr. Harrison and Lt. Arneson saw Secretary Patterson briefly this morning to give him a copy of the revised study, which Mr. Harrison pointed out represented the unanimous views of General Groves, Dr. Bush, and himself.

14 November 1945

Mr. Makins and Mr. Rickett met informally with General Groves, Mr. Harrison, and Lt. Arneson at 5:15 p. m. to exchange views concerning what should be done on the question of revising the Quebec Agreement during the Truman-Attlee-King conference.

Mr. Harrison reported that—as indicated in a memorandum of November 14 (Tab C),¹⁵ which Dr. Bush had written to President Truman recapitulating his understanding of the conclusions reached at the White House on the evening of the 13th, and a copy which was received by Secretary Patterson today—the principals desired that Secretary Patterson and Sir John Anderson and their advisers consider together what should be done with matters of collaboration covered by the Quebec Agreement.

There was general agreement that whatever was done with the Quebec Agreement and its specific provisions, it was clearly desirable to continue the Combined Policy Committee, perhaps with different membership, to act as the coordinating body for whatever degree of collaboration might be decided upon and to continue the CDT as the agent of the CPC for the acquisition of ores.

General Groves suggested that each of them should study the Quebec and Combined Development Trust Agreements in detail and to raise points which should be considered in working out revisions. It was agreed that this should be done in preparation for the meeting in the Secretary's office scheduled for 10:00 a. m. the next day.

25 November 1945

The following met with the Secretary of War in his office at 10:00 a. m. to discuss revision of existing agreements: Sir John Anderson, Field Marshal Sir Henry Maitland Wilson, Malcolm MacDonald,¹⁶ General Groves, Mr. Harrison, Mr. Dennis Rickett, Mr. Roger Makins, and Lt. Arneson.

Sir John stated that the British were anxious to know what decision the United States was likely to make with regard to Clause IV of the Quebec Agreement, for the U.K. had hoped in the near future to build pilot plants and would want to know how the matter of commercial rights stood. The United Kingdom recognised that the deci-

¹⁵ Not printed.

¹⁶ United Kingdom High Commissioner in Canada.

sion on Clause IV rested with the United States and would, of course, accept whatever decision was made. To this Secretary Patterson replied that as far as he was concerned he was prepared to recommend that a solution be found which would not place the U.K. at a disadvantage.

There was general agreement that the CPC should be continued to supervise such arrangements as were mutually agreed upon and that the CDT should also be continued to handle the acquisition of ores, but that it would probably be desirable to terminate the Quebec Agreement, *in toto*, and replace it by a new agreement which would properly reflect the post-war situation.

Sir John felt that consideration should be given to full interchange of personnel in any new agreement that might be signed. General Groves felt that the *quid pro quo* for this would have to be an undertaking whereby the U.K. would bring all uranium and thorium ores situated in the British Commonwealth under the control of the CDT for allocation in accordance with demonstrated demand. In agreeing with this point, Sir John pointed out that the U.K. would have to proceed with caution in some cases, as for example, South Africa.

It was agreed that Sir John's advisers and Secretary Patterson's advisers should prepare a Memorandum of Intention which would set forth the basic policies to be followed in writing a new agreement. It was agreed further that the CPC should be given the assignment of writing the new agreement in line with these basic policies. Another meeting was called for 9:00 a. m. the next day to consider the memorandum.

After the meeting in the Secretary's office, General Groves, Mr. Harrison, Mr. Rickett, Mr. Makins, Lt. Volpe, and Lt. Arneson met in Mr. Harrison's office to arrive at some preliminary understanding as to the form and content of the Memorandum of Intention. It was the view of General Groves and Mr. Harrison that there should be prepared for consideration on Friday (1) a short directive to the CPC for signature by the President and the Prime Ministers instructing the CPC to prepare for their consideration a new agreement envisaging the continuation of the CPC and the CDT, and (2) a longer memorandum, also for signature by the President and the Prime Ministers or at least by the Secretary of War and Sir John, setting forth the basic policies to be considered by the CPC in drawing up a new agreement. Mr. Rickett and Mr. Makins did not dissent from this view.

The Quebec Agreement was then examined point by point and amendments proposed. When this had been done, it was suggested that Mr. Makins and Mr. Rickett on the one hand and Lts. Volpe and Arneson on the other should prepare separate drafts of the Memorandum.

dum of Intention for comparison and further discussion later in the day, and that the British should also prepare a draft of the short directive to the CPC.

Mr. Makins, Mr. Rickett, General Groves, Lt. Volpe, and Lt. Arneson met again at 6:00 p. m. at which time the short directive to the CPC which had been prepared by the British for signature by the President and the Prime Ministers was agreed to. The directive stated in substance that the signatories desired that cooperation in the field of atomic energy among the three Governments should continue, that the CPC and the CDT should be continued in suitable form, and that the CPC should recommend appropriate arrangements to accomplish this. As to the longer paper, there appeared some divergence in point of view. The British wanted the memorandum to be quite informal, more in the nature of a very general statement of broad principle rather than a specific set of basic points by which the CPC would be guided in its work. General Groves wanted the memorandum to be quite specific on the basic issues of policy and binding on the CPC when adopted by the Anderson-Patterson sub-committee of the conference. No agreement was reached on this question of procedure and it was decided to hold it over for consideration the next day and to concentrate that evening on the content of the memorandum.

Lts. Volpe and Arneson met with Mr. Makins and Mr. Rickett at the British Embassy at 10:00 p. m. and came to agreement on the basic points of policy to be laid down in the memorandum with the exception of the point on interchange of information. The more restrictive U.S. formula for interchange of information was written into the draft (see Tab D, item 5)¹⁷ with the understanding that the British would put forward an alternative formula for consideration the next day.

15 November 1945

Throughout the discussions in Mr. Harrison's office, and at the 6:00 and 10:00 o'clock meetings, the U.S. participants held the view that any revision of the Quebec Agreement could be implemented only by treaty, but not, in any event, by any secret Executive arrangements. The British participants held that the question of the form

¹⁷ The text of this portion of the United States draft read as follows: "There shall be full and effective interchange of information, ideas, and personnel in the field of scientific research between the two countries. In the field of development, design, construction, and operation of large-scale plants having to do with atomic energy, interchange of information and ideas shall be regulated by such *ad hoc* arrangements as may appear to be necessary or desirable. Such *ad hoc* arrangements shall be subject to the approval of the Combined Policy Committee established below." Paragraph 6 charged the Committee with periodic general review of the work in progress, allocation of materials, and settlement of disputes that might arise.

any agreement on this matter should take was a political question which should not be decided at this time or at this level.

16 November 1945

The following met with the Secretary of War in his office at 9:00 a. m.: Sir John Anderson, Field Marshal Wilson, General Groves, General Ian Jacob,¹⁸ Mr. Harrison, Mr. C. D. Howe, Dean MacKenzie, Mr. Neville Butler,¹⁹ Mr. Makins, Mr. Rickett, Lt. Volpe, and Lt. Arneson. Agreement was reached promptly on the joint directive to the CPC for signature by the President and the Prime Ministers. One change was agreed to which might prove most significant. This was the proposal made by Sir John that the words "full and" be inserted before the phrase "effective cooperation" in the first sentence. (Tab E)²⁰ The American participants at first objected to this change, but finally reluctantly agreed with the understanding that the words "full and" made no material change in the meaning of the phrase.

After some discussion, it was agreed that the Memorandum of Intention should be addressed to the CPC and signed by Sir John Anderson for the U.K. and by General Groves for the U.S. and that it would serve only as a general guide and not as a set of basic policies binding on the Committee in the writing of a new agreement.

While Sir John, Mr. Makins, Mr. Rickett, General Groves, Mr. Harrison, and Lt. Volpe reassembled in Mr. Harrison's office to arrive at a final draft of the memorandum, Secretary Patterson accompanied by Lt. Arneson proceeded to the White House with copies of the joint directive which were signed by President Truman and Prime Minister Attlee at approximately 10:15 a. m.

The Memorandum of Intention was agreed upon by noon and was signed in eight copies by Sir John and General Groves before Sir John departed for Ottawa at 3:00 p. m. As signed, the memorandum contained a series of recommendations to be considered by the CPC in the preparation of a new document to replace the Quebec Agreement and all other understandings with the exception of the Combined Development Trust Agreement which was to be revised in conformity with the new arrangements. No mention was made of post-war commercial rights, but the memorandum recommended that all ores that may be acquired, by purchase or otherwise, by the CDT, including all that may be secured throughout the British Commonwealth, should be held jointly subject to allocation by the Combined Policy Committee to the three Governments "in such quantities as may be needed, in the common interest, for scientific research, military, and humanitarian purposes," provided that the unallocated portion

¹⁸ Lt. Gen. Ian Jacob, Military Assistant Secretary, British War Cabinet.

¹⁹ Neville M. Butler, Assistant Under Secretary of State, British Foreign Office.

²⁰ For text of this document, dated November 16, see p. 75.

not so needed be held by the CDT for disposal at a later date "in the light of then existing conditions and on a fair and equitable basis." As regards interchange of information the memorandum recommended that there should be full and effective cooperation in the field of basic scientific research, while in the field of development, design, construction, and operation of plants, cooperation—recognized as desirable in principle—should be regulated by *ad hoc* arrangements through the CPC. (Tab F)²¹

GORDON ARNESON

S/AE Files

Memorandum by the Director of the Office of Scientific Research and Development (Bush) to the Secretary of State

[WASHINGTON,] November 5, 1945.

Subject: Coming conference with Mr. Attlee.

Two points will come up: The Quebec Agreement, and the approach to Russia on the future of atomic energy.

For a thoroughly sound approach to this conference it seems to me essential that the President, as soon as he decides on the general policy and objectives, should constitute a small group to prepare for the conversations in very definite manner. This should not be the Interim Committee,²² as the President will probably wish new membership, specifically from the Senate. The Interim Committee should hence be dissolved. The new group should continue after the conference. I feel it is utterly essential, if this administration is to present a consistent and united point of view to the public, that there should be no statements on atomic energy from the administration until after they have been reviewed by this group. In particular I feel the Attlee conference should be promptly followed by a careful statement to the public, and that the group should prepare it for the President's approval. The Secretary of State should of course head the group.

Quebec Agreement

The Quebec Agreement is an agreement between Roosevelt and Churchill having three parts:

The first has to do with interchange on atomic energy. This has automatically ceased to be operative, since it was based on the principle that we would give the British such information as would aid in winning the war, and no more. This was what was done, and they have not been given much of our manufacturing information.

²¹ For text of the Memorandum of Intention, November 16, see p. 75.

²² Concerning the establishment of the Interim Committee, see *The New World*, 1939/1946, p. 345.

The second part had to do with joint acquisition and allocation of materials. This occurs under the Combined Policy Committee, and the Combined Development Trust. The matter may be on a somewhat insecure foundation. Continued arrangements along these lines are certainly necessary.

The third part contains several political clauses. The one about commercial use may embarrass the British. The ones that require British approval on some of our actions might conceivably be considered to embarrass us.

It appears that this somewhat informal agreement should now be superseded by a permanent one, drawn in consultation with the Senate on this side. This should be written with the intention of making it public, and having it fit in appropriately with any more general agreements that may be made, through UNO or otherwise.

It seems to me, therefore, that the coming conference should result in an understanding that the whole affair will be renegotiated to put it in permanent form, and in an exploration of the form and content desired by each party, basing this on the assumption that the Quebec Agreement was intended for the war period only.

Personally I would supersede the agreement by a simple one with the British providing merely for sharing of materials, leaving political clauses and the dissemination of information to be worked out on a more general international basis.

The Approach to Russia

This is the great question before the conference. Russia should be approached before the whole subject comes up in the United Nations Organization.

The objectives are clear. We wish to proceed down the road of international collaboration and understanding, to avoid a secret arms race, and above all to avoid a future war, in which atomic bombs would devastate our cities as well as those of our enemy.

The difficulty is also very clear. It resides in the fact that Russia is naturally secretive and suspicious, and very intent on its own immediate interests. We must make agreements with Russia which Russia will keep.

The solution, if there is one, is to make the agreements in such manner that it will be in Russia's interest to keep them. This involves proceeding on a basis of "partial payments", and step by step, in such manner that Russia will be faced with the alternatives. Either she will genuinely conform, or her failure to do so will become fully known, and public opinion all over the world will become arrayed against her.

We want no future war. If we cannot avoid one, we at least wish to be in our full strength and to have the rest of the world with us. We also want to have atomic bombs and to be in a clear position to use them promptly, if there is any chance that our enemy has them. Hence our program toward international understanding should involve no premature "outlawing of the bomb", which is a dangerous phrase. It should be realistic at every step.

With these points in mind I advocate an approach along the following lines. The Russians should be apprised at the outset that we propose to go the whole distance, but the steps should be taken in sequence, and the success of one should be essential to the initiation of the next. Needless to say we should ourselves conform genuinely at all times, and be tolerant of minor irritations or departures. We hope genuinely to open up Russia, and it will take time.

(1) *Step One* should be a simple one.

We should approach Russia with the suggestion that she join Britain and the United States in suggesting the establishment under the UNO as a creation of the Assembly of a scientific body charged with the full dissemination of fundamental information on science in all fields including that of atomic fission.

As a prerequisite it should be fully understood in advance that every country will (1) invite visits of foreign scientists freely to its laboratories where basic research is carried on, as may be arranged between the scientists themselves, and with no artificial impediments applying to foreigners that do not apply to its own nationals, (2) allow its own scientists to travel freely for such purposes, (3) further the exchange of students for the same purpose, (4) encourage its scientists, engaged in fundamental research, to publish freely, and further full publication and the complete dissemination of the results.

The primary objective of this step is to start Russia down the path of collaboration with us. It will require no policing. The scientists themselves will soon know whether Russia is really opening up her laboratories on fundamental work or not.

This step probably costs us nothing. Russia can readily find out most of what we do in fundamental science anyway, and the chances are certainly that we will publish freely in any case, no matter what Russia does. Moreover, while our free publication, in the absence of agreement, might help Russia's progress on atomic energy some, it would be very likely to help our own progress more.

It will give us a chance to find out whether Russia really wants to proceed with us. There is little incentive for her to join us genuinely on this step unless she does.

(2) *Step Two.*

This step should include under the provisions above the practical aspects of atomic energy, centered about its application to industrial uses.

The *quid pro quo* should be the establishment of an internationally constituted inspection system, organized under the UNO, with technical men from various countries. No control is involved, but the Commission of Inspection should have the right, without impediment, to visit any laboratory or plant in any country where atomic fission is being carried out, to the extent necessary to determine the magnitude of the operations, the disposition of the product, etc.

In this matter we alone at the present time have extensive operations. We do not wish to open this whole affair up until we are assured that the inspection system is really going to work. Hence we should approach the matter gradually, and should state our intention to do so at the outset. There should hence be a deliberately restricted scope of the Inspection Commission's function at the outset, with the provision that further disclosures shall be in accordance with a definite schedule prepared in advance, stating dates and categories, each extension, however, being subject to certification by the Assembly of the UNO that the inspection system is operating satisfactorily. It would be hoped that the scope might ultimately become extended to the point where secret preparations for war would be sufficiently difficult to avoid a secret arms race, on atomic bombs or anything else.

The first definition might include merely the materials, that is the mining and processing of ores of uranium and thorium, and all international and internal movements of these.

This might soon be extended to include the extent and capacity of plants for concentration and separation of products capable of sustaining chain reactions.

All of this the Russians now know, or can readily determine. The next step should include work being done on commercial applications directly. Note that we would require a strong law on internal controls before taking this step. It assumes that secret commercial development, and private patents, would have little meaning in this field, but this is a small price to pay. I believe we should indicate at the outset that we plan to go at least this far, if Russia really collaborates.

The Commission should publish summaries from time to time showing the exact extent to which activity is being carried on everywhere. If it is blocked in getting data, or in assuring itself adequately that this is complete and reliable, it should place its situation before UNO and hence before the world.

(3) *Step Three.*

This step can only be taken after the second has been worked, and its scope has been greatly extended.

There should then be proposed that all nations agree that they will hold materials capable of atomic fission, beyond a stated amount necessary for processing operations, only when it is in use in producing power for commercial purposes.

This would be subject to the inspection system, by then presumably mature and operative.

We would thereupon be called upon to distribute our stock of atomic bombs into power plants, and to make no more, except as the material could be thus further distributed. Admittedly we do not now know how to build such plants, but presumably we will by the time we are ready for this third step. There would need to be allowed a period of years to accomplish the full distribution, after the arrangement went into effect.

Fission materials thus distributed could of course be recalled and made into bombs. The point is that this would take time, and would be a fairly obvious procedure if it resulted in shutting down large power plants. If the distribution were known to be effective, therefore, the threat of surprise atomic bomb attack by one nation on another would be largely removed. This threat, hanging over the world, would be appalling. Certainly we do not wish to be in a position to make such an attack, if we are sure no one else is. We would make the move indicated in this third step only if we were convinced that the inspection system was actually effective. Certainly our statement at this time that we plan this third step would remove a great deal of fear from the world, and fear is a breeder of wars. Incidentally there would be a benefit to humanity by having power plants instead of stores of bombs.

Many years would be necessary to carry out all three steps above. The important point now is to make it clear to the world that this is the way in which we would like to proceed.

Certainly, if these steps were taken, not outlawing the bomb, but in the direction of removing its worst threat in a practical manner, it should be possible to proceed from there toward further effective understanding and controls, on other weapons, and finally on war itself. This is the path that can finally lead to a climate of opinion in which a United Nations Organization fully implemented to regulate international relations of all sorts, and prevent war, can be brought to pass.

S/AE Files

Memorandum by the Director of the Office of Scientific Research and Development (Bush) and the Commanding General, Manhattan Engineer District (Groves), to the Secretary of State

WASHINGTON, November 9, 1945.

Supplementing Memorandum of November 5.

This memorandum is prepared in answer to the question "what do we do with our bombs in the meantime", assuming that a plan similar to that of the previous memorandum is being carried out.

One possible answer is as follows, although this is advanced tentatively.

It is assumed that we will continue to manufacture for the present at least the explosive material for bombs. This will also be useful, after an interval of some years, for the generation of power for peaceful purposes.

We might announce when the discussions have proceeded to a propitious point, that we do not propose to assemble this into bombs. Rather we propose to store it in bar form, simply as a stock of material and hold it for later installation in industrial power units when matters have advanced to that point. Moreover, we could state that, when there is a workable international inspection system in operation, we propose to invite their inspection of this material to assure themselves that we are thus holding it in this form.

As a reason, we could state that we do this as a partial proof of our good will. We have no intention of attacking anyone suddenly. We realize that storage in the fashion proposed would prevent us from using the materials for bombs without warning. We wish voluntarily to take this step, because we wish to have no threats of sudden attack hanging over the world.

The cost of this step to us is merely that it would make the material unavailable for atomic bombs without a period of preparation.

The effect on the world if this step were taken soon might be salutary, even although it is only one step of many.

There is one other point that we should like to mention, as a result of our conference of yesterday. It is our understanding that the first conference will include only Mr. Attlee, Mr. King, Mr. Bevin,²⁸ the President, and yourself. If the British should wish to bring others into later conferences, where atomic energy is to be discussed, we believe you should then bring in, not just ourselves, but the Secretary of War, and Mr. Harrison, as well.

L. R. GROVES

V. BUSH

²⁸ Ernest Bevin, British Secretary of State for Foreign Affairs.

[For text of the Agreed Declaration by President Truman, Prime Minister Attlee, and Prime Minister Mackenzie King, signed at Washington, November 15, 1945, see Department of State Treaties and Other International Acts Series No. 1504; or 60 Stat. (pt. 2) 1479.]

S/AE Files

Memorandum by President Truman, the British Prime Minister (Attlee), and the Canadian Prime Minister (King) ²⁴

[WASHINGTON,] November 16, 1945.

1. We desire that there should be full and effective cooperation in the field of atomic energy between the United States, the United Kingdom and Canada.

2. We agree that the Combined Policy Committee and the Combined Development Trust should be continued in a suitable form.

3. We request the Combined Policy Committee to consider and recommend to us appropriate arrangements for this purpose.

HARRY S. TRUMAN

C. R. ATTLEE

MACKENZIE KING

S/AE Files

Memorandum by the Commanding General, Manhattan Engineer District (Groves), and the Chairman, British Advisory Committee on Atomic Energy (Anderson), to the Chairman of the Combined Policy Committee (Patterson)

[WASHINGTON,] November 16, 1945.

We recommend that the following points be considered by the Combined Policy Committee in the preparation of a new document to replace the Quebec Agreement, which should be superseded *in toto*, together with all other understandings with the exception of the Combined Development Trust Agreement which should be revised in conformity with the new arrangements.

1. The three Governments, the United States, the United Kingdom, and Canada, will not use atomic weapons against other parties without prior consultation with each other;

2. the three Governments agree not to disclose any information or enter into negotiations concerning atomic energy with other governments or authorities or persons in other countries except in accordance

²⁴ For background information on this memorandum, see the memorandum by Captain Arneson, covering the period November 1-16, pp. 63, 68.

with agreed common policy or after due prior consultation with one another;

3. the three Governments will take measures so far as practicable to secure control and possession, by purchase or otherwise, of all deposits of uranium and thorium situated in areas comprising the United States, its territories or possessions, the United Kingdom, and Canada. They will also use every endeavor with respect to the remaining territories of the British Commonwealth, and other countries to acquire all available supplies of uranium and thorium. All supplies acquired under the provisions of this paragraph will be placed at the disposition of the Combined Development Trust.

4. The materials at the disposition of the trust shall be allocated to the three Governments in such quantities as may be needed, in the common interest, for scientific research, military, and humanitarian purposes. Such supplies as are not allocated for these purposes shall be held by the Combined Development Trust and their disposal shall be determined at a later date in the light of then existing conditions and on a fair and equitable basis.

5. There shall be full and effective cooperation in the field of basic scientific research among the three countries. In the field of development, design, construction, and operation of plants such cooperation, recognized as desirable in principle, shall be regulated by such *ad hoc* arrangements as may be approved from time to time by the Combined Policy Committee as mutually advantageous.

6. The Combined Policy Committee, already established and constituted so as to provide equal representation to the United States on the one hand and to the Governments of the United Kingdom and Canada on the other, shall carry out the policies provided for, subject to the control of the respective governments. To this end, the Committee shall:

1. Review from time to time the general program of work being carried out in the three countries.

2. Allocate materials in accordance with the principles set forth in the fourth paragraph above.

3. Settle any questions which may arise concerning the interpretation and application of arrangements regulating cooperation between the three Governments.

The above is to be understood as being without prejudice to the consideration by the Combined Policy Committee of any matters not covered in this memorandum.

SIR JOHN ANDERSON

LESLIE R. GROVES
Maj. Gen. U.S. Army

S11.2423/11-2945

The British Ambassador (Halifax) to the Secretary of State

AIDE-MÉMOIRE

His Majesty's Ambassador is instructed to enquire the views of the Secretary of State on the procedure for bringing before the United Nations Organisation the proposal, made in the tripartite statement of November 15th on Atomic Energy,²⁵ to set up a "Commission under the United Nations Organisation to prepare recommendations for submission to the Organisation."

2. His Majesty's Government in the United Kingdom understand that, in the view of the United States Government, action should originate with the General Assembly and that all the United Nations should have a part in the establishment of the Commission. With this His Majesty's Government are in agreement, but consider that a number of important matters remain to be settled.

3. In the first place, there is the question of the procedure for bringing the proposal for the Commission before the General Assembly. This could be done by:—

(i) a resolution of the Preparatory Commission²⁶ placing the matter upon the provisional agenda for the General Assembly;

(ii) action by one or more of the United Nations proposing an additional item for the General Assembly's agenda at some time between the close of the Preparatory Commission and prescribed period before the General Assembly meets; or

(iii) raising the matter in the General Assembly after it has met and securing its addition to the agenda.

His Majesty's Government prefers alternative (ii) as the simplest and most natural procedure. They consider it desirable to discourage the Preparatory Commission from embarking on a detailed discussion of the proposed Commission in relation to the Atomic problem. But they recognise that it may in practice not prove possible to delay any further move until the Assembly meets.

4. His Majesty's Government feel it would be natural that the initiative in proposing this procedure should be taken jointly by the three Powers which issued the tripartite statement. It has, however, been suggested that the Soviet Government, in particular, ought, if possible, to be associated with the sponsorship of the tripartite proposals before the United Nations Organisation. Clearly it is most important to make every effort to secure the cooperation of the Soviet Government, and any procedure which achieved this would naturally commend itself to His Majesty's Government, and, they

²⁵ See bracketed note, p. 75.

²⁶ For documentation relating to the Preparatory Commission of the United Nations, see vol. I, pp. 1433 ff.

do not doubt, to the Government of the United States. But His Majesty's Government are very doubtful, on past experience, whether the Soviet Government would be likely to associate themselves with the sponsorship of a proposal in regard to which they had not been previously consulted.

5. In this connexion Lord Halifax is instructed to enquire:—

(a) Whether the United States Government have had any reaction from the Soviet Government to the advance communication which they are understood to have made in Moscow in regard to the tripartite statement;

(b) Whether the Secretary of State would consider enquiring of the Soviet Government, through the United States Ambassador at Moscow, if the Soviet Government would co-operate in bringing the proposals made in the tripartite statement before the United Nations.

6. In regard to the constitution and composition of the Commission, His Majesty's Government assume that the Commission would be initially appointed by the General Assembly, but the question will remain as to the precise working of the Commission and the particular organ of the United Nations to which it should report. One possibility would be that the Commission should make its recommendations to the Assembly so long as it was dealing with the first two stages of its work, as defined in paragraph 8 of the tripartite statement, but that, at the stage when it came to deal with the control and supervision of Atomic Energy to prevent its misuse as a weapon of war, it should report to the Security Council in accordance with Article 24 of the Charter.²⁷ As regards the composition of the Commission this would, no doubt, be influenced by the discussion in the Assembly, but His Majesty's Government would like to reach an understanding in advance with the United States Government.

7. His Majesty's Government would be grateful for the views of the United States Government as a matter of urgency on the foregoing points, and on any other matters that, in the opinion of the Secretary of State, may be held to affect the general question here discussed.

WASHINGTON, November 29, 1945.

811.2423/11-3045

The Canadian Ambassador (Pearson) to the Secretary of State

AIDE-MÉMOIRE

The Canadian Ambassador is instructed to transmit to the Secretary of State the views of the Canadian Government, and to enquire

²⁷ For text of the United Nations Charter, see Department of State Treaty Series No. 993; or 59 Stat. (pt. 2) 1031.

Mr. Byrnes' views, on the procedure for bringing before the United Nations Organization the proposals made in the statement on atomic energy signed in Washington on November 15th to set up a "Commission under the United Nations Organization to prepare recommendations for submission to the Organization".

With regard to the method whereby the proposal for the establishment of a special Commission should be brought before the United Nations Organization, the Canadian Government is in full agreement with the view that the matter should be considered by the General Assembly. The exact means whereby it is placed on the agenda of the General Assembly is relatively unimportant. It would perhaps be appropriate for the parties to the Washington discussions jointly to propose its inclusion in the agenda, preferably after the Preparatory Commission has closed its session and before the date for the opening of the General Assembly. If, however, the matter is raised in the Preparatory Commission joint action could be taken by the delegations of the United States, the United Kingdom and Canada to sponsor a resolution adding the question to the provisional agenda for the General Assembly.

It has been suggested that the Government of the U.S.S.R. might be approached with a view to securing their sponsorship for the tripartite proposals. This would seem unlikely to bring any fruitful results. Past experience indicates that the Soviet Government would be unlikely to associate themselves in sponsoring a statement about which they were not consulted and might also complicate the whole procedure by insisting at this stage that the subject was one which should properly be considered by the Security Council. It would, therefore, seem best that the three governments directly concerned should reach agreement between themselves on the course to be followed. They might then inform the Soviet Government, privately in advance, of the action which they propose to take without inviting comment from the Soviet Government. If this is done, it would be well to consider whether similar notification should be addressed to the Governments of France and China.

The desirable composition of the special Commission is difficult to determine. Perhaps the easiest course to pursue would be to suggest that it should be composed of representatives of the governments serving on the first Security Council. It is, however, essential that Canada as one of the sponsors for the establishment of the Commission should be assured of representation on it, whether or not Canada is elected to one of the non-permanent seats on the Security Council. The Commission is likely to continue in existence for a considerable period and it would not be desirable that its membership

should change automatically as a result of new elections to the Security Council. There might be included in it, initially at any rate, representatives of the five states with permanent membership, together with representatives of Canada, at least one Latin American country and at least one smaller European country. A wide degree of overlapping with the membership of the Security Council would be some assurance against conflicts over questions of jurisdiction within the United Nations Organization.

The terms of reference set forth in paragraph 7 of the Washington declaration cover matters falling within the scope of both the General Assembly and the Security Council. It might be that some of the proposals made by the Commission would require consideration by the Economic and Social Council and the collaboration of some of the specialized agencies to be brought into relationship with the United Nations, such as the Educational, Scientific and Cultural Organization. The most satisfactory course may prove to be the submission of reports by the Commission to either or both of the General Assembly and the Security Council. Matters falling directly within the competence of the Security Council under Articles 24 and 26 of the Charter could be the subject of recommendations from the Commission to the Security Council alone if necessary. Quite apart from the specific allocation of functions included in the Charter (whereby some of the recommendations of the Commission would properly be for consideration by the Assembly), it is most unlikely that agreement could be secured among the members of the United Nations for concentrating wholly in the Security Council responsibility for dealing with the problems raised by the development of atomic fission.

It will be necessary to decide in advance on a suitable designation for the proposed special Commission. Under the Washington declaration the functions of the Commission would not be limited to questions of the use or misuse of atomic energy. They would include the bringing forward of proposals for the elimination from national armaments "of all other major weapons adaptable to mass destruction" and also for the exchange between all nations of "basic scientific information for peaceful ends". While the Commission might be generally known by the short title of the United Nations Atomic Energy Commission, the designation given to it in the resolution to be placed before the General Assembly should clearly indicate its broader functions.

Mr. Pearson will be glad to hold himself in readiness to discuss these matters further with Mr. Byrnes at the Secretary's convenience.

[WASHINGTON,] November 30, 1945.

S/AE Files

*The Chairman of the Combined Development Trust (Groves) to the
Chairman of the Combined Policy Committee (Patterson)*

WASHINGTON, December 2, 1945.

MY DEAR MR. CHAIRMAN: Under the tripartite agreement²⁸ the United Kingdom and the United States were given, subject to certain limitations, a first refusal on all uranium mined in the Belgian Congo for a ten-year period following the completion of the contract for 3,440,000 pounds between the Combined Development Trust and African Metals Corporation of September 25, 1944. Deliveries under this contract have been proceeding satisfactorily and it is probable that they will be completed by March 1946.

To insure future supplies of uranium for the ten-year period, we have been negotiating for the past six months with the Belgians for the purchase of large quantities of uranium oxide to be mined at the Shinkolobwe Mine in the Belgian Congo. These negotiations have now been completed and two contracts were signed by the Combined Development Trust and African Metals Corporation on October 27, 1945.²⁹

The first contract involves the purchase by the Trust of all the uranium oxide content in high grade ore which can be produced from the mining operations down to the 150 meter level to a maximum of twenty million pounds of oxide and the Trust has been granted options with respect to the oxide contained in the lower grade ores down to that level. As in the earlier contract, African Metals retained the ownership of the radium and the precious metals contained in the ore and these will be returned to African Metals in the form of sludges after processing for the extraction of uranium. Initial deliveries of the ores will be made at Lobito or Matadi. Present information indicates that deliveries of the twenty million pounds will be completed by 1949.

The second contract is for the purchase of all the oxide which can be economically mined at Shinkolobwe within the ten-year period of the tripartite agreement and after the completion of the contract for twenty million pounds. The terms and conditions of this contract are the same as under the contract for twenty million pounds. Present estimates of the possible quantities involved in the second contract are about forty million pounds.

Because of the length of time involved, the Belgians insisted upon the protection of the purchase price by a gold clause. The British

²⁸ See footnote 32, p. 13.

²⁹ Neither printed.

Government agreed to a gold clause with respect to the portion of the cost payable by them and in lieu of a gold clause on the American share, it has been agreed that a premium of fifteen per cent would be paid on the American share. This fifteen per cent increase will be discontinued if the American Government becomes authorized by legislation to agree to a gold clause. The price for uranium oxide under both contracts and subject to the adjustments noted above, will be \$1.90 per pound for oxide contained in the high grade ores, and for the oxide contained in the lower grade ores the price varies from \$1.85 per pound in the case of ores having a content of less than twenty-five per cent but not less than five per cent to fifty cents per pound in the case of ores having a content of less than one and one-half per cent.

Respectfully submitted,

L. R. GROVES
Major General, U.S.A.

S/AE Files : Telegram

The British Ambassador in the Soviet Union (Kerr) to the British Secretary of State for Foreign Affairs (Bevin) ³⁰

[Moscow,] December 3, 1945.

1. Perhaps it might be useful if I were to try to describe present state of mind in Moscow as we see it here, towards the Atomic Bomb in general which may well govern the Russians' approach to the question and misshape their judgment.

2. For this purpose I should probably reach back a longish way in order to draw in a little of the psychological background of the people upon whose minds the bomb exploded last August. For years they have been toiling after something like security for their country, their system and their own bodies. Nearly all of those who now govern Russia and mould opinion have led hunted lives since their early manhood when they were chased from pillar to post by the Tsarist police. Then came the immense and dangerous gamble of the Revolution followed by the perils and the ups and downs of intervention and civil war. Independence and even ostracism may have brought some passing relief to their country but not to the survival of their system or to their bodies whose safety remained as precarious as ever. Witness the prolonged and internecine struggle that came after

³⁰ Copy transmitted to the Department under cover of a note from the British Chargé (Balfour), dated December 6, which stated that this document was forwarded at the suggestion of Mr. Bevin, who felt it might be of interest to Mr. Byrnes in view of the forthcoming meeting in Moscow.

the death of Lenin and the years of the purges when their system was wobbling and no one of them knew today whether he would be alive tomorrow. Admission to the League of Nations which synchronised with the turning of the economic corner may have given some slight respite. But this was fugitive and it may be said that through all these years they trembled for the safety of their country and their system as they trembled for their own. Meanwhile, they worked feverishly and by means of a kind of terror till they dragooned an idle and slipshod people without regard for its suffering into building up a machine that might promise the kind of security they rightly felt they needed. The German invasion caught them still unready and swept them to what looked like the brink of defeat. Then came the turn of the tide and with it first the hope and then a growing belief that the immense benison of national security was at last within their reach. As the Red Army moved westwards belief became confidence and the final defeat of Germany made confidence conviction.

3. There was a great exaltation. Russia could be made safe at last. She could put her house in order and more than this from behind her matchless three hundred divisions she could stretch out her hand and take most of what she needed and perhaps more. It was an exquisite moment, all the more so because this resounding success under their guidance justified at last their faith in the permanence of their system.

4. I have reviewed all this in order to recall to you the uncommon, and at times almost unbearable, tension that has strained these people's lives (it explains perhaps some of their abnormalities); and has hung over the whole history of the movement they have led, and in order also to suggest the measure of relief that must have come to them with the end of Nazism it would be hard to over-estimate.

5. Then plump came the Atomic Bomb. At a blow the balance which had now seemed set and steady was rudely shaken. Russia was balked by the west when everything seemed to be within her grasp. The three hundred divisions were shorn of much of their value. About all this the Kremlin was silent but such was the common talk of the people. But their disappointment was tempered by the belief inspired by such echoes of foreign press as were allowed to reach them that their Western comrades in arms would surely share the bomb with them. That some such expectation as this was shared by the Kremlin became evident in due course. But as time went on and no move came from the West, disappointment turned into irritation and, when the bomb seemed to them to become an instru-

ment of policy, into spleen. It was clear that the West did not trust them. This seemed to justify and it quickened all their old suspicions. It was a humiliation also and the thought of this stirred up memories of the past. We may assume that all these emotions were fully shared by the Kremlin. (Molotov's speech of the 6th of November and the disturbing absence of any reply to the advance notice of Washington statement ³¹).

6. If my interpretation of the state of mind of the Russians is anything like right we may I think expect them to approach the proposal to discuss Atomic Energy in the first instance in the open forum of the General Assembly with all the prickliness of which they are capable.

7. We cannot indeed rule out the possibility of a refusal to discuss it at all. It seems to me therefore that if we are to secure the Russians' cooperation we must go about things in a different way. I mean that before the Assembly gathers we and the Americans must have preliminary and private talks with Molotov who though unlikely in any circumstances to be willing to sponsor the Washington statements, might then be persuaded to treat the whole matter with goodwill and reason. It would not be enough to approach him through the diplomatic channel.

SCI Files

*The Chairman of the Combined Development Trust (Groves) to the
Chairman of the Combined Policy Committee (Patterson)*

WASHINGTON, December 3, 1945.

MY DEAR MR. CHAIRMAN: The following conclusions have just been drawn from the investigations by the Combined Development Trust of the world's resources of uranium and thorium:

1. From present knowledge, it appears that the Trust group of nations controls 97% of the world's uranium output from presently producing countries.

2. Of the large tonnage deposits which while of lower grade are capable of early commercial development, the British Empire controls 60%, i.e., those of the Union of South Africa. The other 40% is in Sweden.

3. Looking ahead ten years or more to large tonnage low grade deposits which might be developed if no consideration is given to costs, the Trust group of nations controls 35%, i.e., those of the United States of America and India. The remaining 65% is divided between Russia and the Argentine.

³¹ Reference is to the Tripartite Agreed Declaration of November 15; see bracketed note, p. 75.

4. According to our present knowledge, it would appear that the only countries, outside of the Trust areas, having resources and industrial power which might challenge the dominant position of the Trust group of nations in the near future are Russia and possibly Sweden. Russian resources of raw materials are far inferior to those of the Trust group of nations and in all probability these could not be made available unless costs of production are completely disregarded.

Looking ten years or more ahead, the Argentine and Brazil might possibly come into this class although this would mean a scale of industrial and technical development which does not now seem at all probable.

5. Geological deductions would suggest that the discovery of deposits of uranium is not improbable in certain unexplored areas of the world such as China, Manchuria and Portuguese West Africa. However, even if such discoveries are made, having regard to industrial and technical capacity, it is not believed that these countries are likely to be able to challenge the position of the Trust group of nations in the foreseeable future.

6. With regard to thorium, the Trust group of nations controls about 65% of the world supply in India and Brazil.

7. The above opinions are based on the assumption that 100 tons of uranium and thorium are a practicable minimum working stock for an atomic energy project. We consider this a sound assumption under present knowledge.

8. There is no possibility of acquiring one hundred per cent commercial and political control of the world's resources of uranium and thorium.

9. We would like to emphasize that all above figures are rough approximations intended to show the general order of magnitude. They represent the present picture integrating a number of factors which are constantly changing. This picture will become more definite as information becomes more fixed.

10. The above information is of the highest order of secrecy which should be preserved not only from other countries but from citizens of the United States (Trust group of nations) who might be tempted to profit by the information.

A summary of work in progress, pending and recommended is attached.³²

Respectfully submitted,

L. R. GROVES,
Major General, U.S.A.

³² Not printed.

SCI Files

Minutes of a Meeting of the Combined Policy Committee

[Extracts]

[WASHINGTON,] December 4, 1945.

Present:

Members: The Secretary of State (in the Chair)
 The Secretary of War
 The Rt. Hon. Earl of Halifax
 Field Marshal Sir Henry Maitland Wilson
 Dr. Vannevar Bush

By Invitation: The Canadian Ambassador, Mr. L. B. Pearson
 (representing the Hon. C. D. Howe)
 Mr. George L. Harrison
 Mr. George Bateman ³⁴

Joint Secretaries: Major General L. R. Groves
 Mr. Roger Makins

V. *Cooperation Between the Three Governments.*

The Committee had before them two documents:—

(a) Memorandum by President and Prime Ministers of Great Britain and Canada.³⁵

(b) Memorandum addressed to the Chairman of the Committee and signed by General Groves and Sir John Anderson.³⁵

(a) *Procedure*: JUDGE PATTERSON explained that during the visit of Mr. Attlee and Sir John Anderson there had been insufficient time to prepare a formal document to take the place of the Quebec Agreement. The present document was intended to constitute heads of an agreement for discussion and consideration, and had been worked out between General Groves and Sir John Anderson. It was in the nature of a preliminary working paper. LORD HALIFAX understood the memorandum to constitute general guidance to the Combined Policy Committee as to the way in which paragraph 3 of the memorandum signed by the President and the Prime Ministers should be implemented.

JUDGE PATTERSON said that it was important to note that this document would take the place of the Quebec Agreement, the provisions of which would be completely superseded, including paragraph 4 concerning the use of atomic energy for commercial and industrial purposes.

³⁴ At this meeting, the nomination of Mr. Bateman as Canadian Joint Secretary was approved.

³⁵ Dated November 16, p. 75.

GENERAL GROVES said that the memorandum was not exhaustive and there were one or two other questions which might have to be included in the final document.

On the proposal of LORD HALIFAX a Sub-Committee was then appointed consisting of General Groves, Mr. Makins and Mr. Pearson or Mr. Bateman, (designation to be made later by Mr. Pearson) to draw up a document for submission to the main Committee.

Discussion followed as regards the nature of the agreement to be drawn up, and it was suggested that it should be an executive agreement in the form of a memorandum for signature.

The Committee:— instructed the Sub-Committee to prepare a memorandum accordingly in the form of an executive agreement.

VI. *Combined Development Trust.*

GENERAL GROVES, Chairman of the Trust then made a report to the Committee on the following matters:—

(a) He asked the Committee to take note of a trend towards the nationalisation of uranium throughout the world.

(b) *World Survey Report*: A letter addressed to the Chairman of the Committee by the Chairman of the Trust was read drawing attention to the conclusions of a recent survey of the world resources of uranium and thorium undertaken by the Combined Development Trust. (Copy of this letter is attached as Tab JJ.)³⁶

Attention was drawn to paragraph 3 of this letter regarding the low grade deposits in the Soviet Union and the Argentine. It was pointed out that it would require a revolution in extraction technique to develop these deposits.

In reply to a question, GENERAL GROVES said that the policy of the Trust was to extract and bring under the control of the Trust high-grade deposits at the earliest possible moment. For example, it was hoped that the Belgian Congo deposits would be worked out at the end of ten years. In reply to a further question, GENERAL GROVES said that there was no evidence of any high-grade deposits in the Soviet Union.

The Committee:— took note of the letter from the Chairman of the Trust and of the points made in the discussion.

(c) *Contracts with African metals:*

The Committee:— took note of a letter addressed to the Chairman of the Committee by the Chairman of the Trust³⁷ reporting the conclusion of two further contracts for the supply of uranium between the Trust and African Metals Corporation.

GENERAL GROVES explained that the African Metals had insisted on the protection of the purchase price by a gold clause. Under the

³⁶ *Supra.*

³⁷ Dated December 2, p. 81.

existing law of the United States this could not be agreed to by the United States negotiators. It had, therefore, been provided that, as far as the United Kingdom share of the cost of the uranium was concerned, a gold clause would apply, and a premium of 15% would be paid on the American share. It had been stated in an exchange of letters between the senior United Kingdom and United States members of the Trust ³⁸ that, although under this arrangement the amounts ultimately paid by the United States Government and the United Kingdom Government could differ, the Governments were in fact undertaking equal obligations under the contracts with African Metals and that the spirit of Article 3(1) and Article 6 of the Trust Agreement was therefore met.

The Committee:— Took note and formally approved this understanding.

(d) *Travancore*: GENERAL GROVES reported that negotiations by the United Kingdom authorities with the State of Travancore concerning deposits of monazite sands in the States were continuing. Meanwhile, the mining of these sands had been stopped and full control had been secured over the export of monazite and its derivatives.

(e) *Portugal*: GENERAL GROVES reported that the Trust was continuing its operations in Portugal, with the object of securing complete control of the uranium deposits in that country. These deposits were of sufficient size to permit a country which secured control of them to engage in extensive experimental work.

(f) *Brazil*: GENERAL GROVES referred to the agreement which had been made in July 1945 between the United States and Brazilian Governments and the subsequent arrangements between the United States and the United Kingdom Governments for the control of monazite sand and its derivatives in Brazil. The time had now come to make some purchases of material from Brazil under this agreement and the matter was being pursued with the advice and assistance of the Assistant Secretary of State, Mr. William Clayton.

The Committee:— Took note of this statement.

(g) *Purchase of stock piles in the United States and United Kingdom*: GENERAL GROVES reported that there were certain stocks of thorium, mostly in the United States, which it was desirable should come under control of the Trust. It had been decided that each Government would take steps to secure this control in its own territory, and the Manhattan District was taking the necessary action in the United States of America.

VII. *Policy in regard to the control of raw materials.*

GENERAL GROVES said that the policy of the Trust was to try and secure exclusive control of all deposits and supplies of raw materials

³⁸ Not printed.

wherever they might be situated. He pointed out that there had been a considerable change in the membership of the Combined Policy Committee and asked that this policy be again stated by the Committee. JUDGE PATTERSON said he saw no alternative to re-affirming this policy, at least until some arrangement of a wider character could be reached and adequate assurance from other powers could be obtained. LORD HALIFAX, DR. BUSH and MR. BYRNES agreed.

The Committee:— Approved the policy of the Combined Development Trust as stated by its Chairman.

VIII. *Combined Intelligence Section.*

The Committee:— Took note of a letter to the Chairman from General Groves³⁹ setting out the functions of the Combined Intelligence Section.

IX. *Tripartite Declaration.*

MR. PEARSON enquired whether the procedure for the establishment of the Atomic Energy Commission under the United Nations Organisation would be discussed in the Committee.

MR. BYRNES said that there had already been an exchange of views between the Department of State and the British and Canadian Embassies on this subject, and he contemplated that for the time being the matter should continue to be handled through diplomatic channels.

X. *Documents of the Committee.*

MR. MAKINS said that the minutes and memoranda of the Combined Policy Committee were treated as Top Secret documents. There were two master copies of the proceedings and documents of the Committee; one for the United States Joint Secretary and the other for the United Kingdom Joint Secretary. These were kept in the War Department.

MR. BYRNES directed that these documents should continue to be kept in the War Department.

The Committee then adjourned.

L. R. GROVES

Major General, U.S.A.

ROGER MAKINS

811.2423/11-2945

The Secretary of State to the British Ambassador (Halifax)

AIDE-MÉMOIRE

The Secretary of State has the honor to acknowledge the *aide-mémoire* dated November 29, 1945 from the British Ambassador con-

³⁹ Not printed.

cerning the procedure for bringing before the United Nations Organization the proposal, made in the Agreed Declaration of November 15 on atomic energy, to set up a "Commission under the United Nations Organization to prepare recommendations for submission to the Organization."

2. The Government of the United States is pleased to note that the views of the British Government with respect to the establishment of the proposed Commission accord in general with those of the United States. This Government believes, however, that it would be unwise to attempt to establish in definite form its position on the organization of the Commission prior to discussion of the subject with the Soviet Government.

3. This Government is in full accord with the view that it is desirable to discourage the Preparatory Commission from embarking on a detailed discussion of the proposed Commission. The United States Delegate to the Preparatory Commission has been so informed and has been instructed to take this matter up with his British and Canadian colleagues.

4. This Government has received only a simple acknowledgement from the Soviet Government in reply to the Secretary of State's message communicating the text of the Agreed Declaration. A copy of this acknowledgement is enclosed.⁴⁰

5. The Government of the United States believes that it would be highly desirable to have the Soviet Government associate itself with, or at least concur in, any proposal which may be made to the General Assembly. In reply to Lord Halifax's query as to whether this Government would consider approaching the Soviet Government with a view to obtaining the cooperation of the latter in submitting to the United Nations the proposal for a Commission, the Secretary of State is pleased to state that this Government plans to discuss this question promptly with the Soviet Government. It will be prepared to cover in this discussion both the method of proposing the Commission and the nature of the Commission's authority.

6. The Government of the United States believes that consideration should also be given to possible discussions with the Governments of France and China. As the British Government is aware, the Secretary of State transmitted the text of the Agreed Declaration to the Foreign Ministers of France and China. No reply has yet been received from the French Government, but one has been received from the Chinese Government, a copy of which is enclosed.⁴¹

⁴⁰ Not printed.

⁴¹ The Chinese reply in the form of a note, dated November 21, from the Minister for Foreign Affairs, Wang Shih Chieh, expressed sympathy with the aims contained in the Agreed Declaration of November 15.

7. The Government of the United States is grateful for the views of the British Government with respect to the establishment of the proposed Commission under the United Nations Organization, and desires to discuss this matter further with the Government of the United Kingdom in the very near future.

WASHINGTON, December 5, 1945.

811.2423/11-3045

The Secretary of State to the Canadian Ambassador (Pearson)

AIDE-MÉMOIRE

The Secretary of State has the honor to acknowledge receipt of the Canadian Ambassador's *Aide-Mémoire*⁴² concerning the procedure for bringing before the United Nations Organization the proposal, made in the Agreed Declaration of November 15 on atomic energy, to set up a "Commission under the United Nations Organization to prepare recommendations for submission to the Organization".

2. The views of the Government of the United States with respect to the proposed Commission are in general accord with those expressed by the Canadian Government. In particular, this Government believes that Canada should be given representation on the proposed Commission. This Government believes, however, that it would be unwise to attempt to establish in definite form its position on the organization of the Commission prior to discussion of the subject with the Soviet Government.

3. It is the opinion of this Government that it would be desirable to discourage the Preparatory Commission from undertaking a detailed discussion of the proposed Commission. The United States Delegate to the Preparatory Commission has been so informed and has been instructed to take up the matter with his Canadian and British colleagues.

4. The Secretary of State finds it impossible to concur in the view expressed by the Canadian Government with respect to approaching the Soviet Government. This Government considers that it is essential, both for the successful establishment of the proposed Commission and for its effective functioning, that its composition and terms of reference be acceptable to the Soviet Government. For this reason, the Government of the United States plans to take up promptly with the Soviet Government the question of the establishment of the proposed Commission with a view to obtaining its cooperation in submitting a proposal to the United Nations Organization or at least its concurrence in such a proposal.

⁴² Dated November 30, p. 78.

5. As the Canadian Ambassador is aware, the Secretary of State transmitted directly to the Foreign Ministers of the Soviet Union, France, and China, the text of the Agreed Declaration prior to its publication. The replies of the Soviet ⁴³ and Chinese ⁴⁴ Governments are enclosed for the information of the Canadian Government. No reply has yet been received from the French Government.

6. The United States Government believes that further consideration should be given to possible discussions with the Governments of France and China prior to the meeting of the General Assembly.

7. The Government of the United States is grateful for the views of the Canadian Government with respect to the establishment of the proposed Commission under the United Nations Organization, and desires to discuss this matter further with the Canadian Government in the very near future.

WASHINGTON, December 5, 1945.

Lot 55D 540 Box 266

Memorandum by an Informal Interdepartmental Committee ^{44a}

[WASHINGTON, December 10, 1945.]

DRAFT PROPOSALS ON ATOMIC ENERGY FOR
SUBMISSION TO SOVIET GOVERNMENT

It is the earnest desire of the United States to collaborate with other nations for the purpose of developing with the greatest practicable speed international measures to prevent the use for destructive purposes of atomic energy and other means of mass destruction, and to promote the use of atomic energy and other scientific advances for the benefit of mankind.

The President of the United States announced on October 3, 1945, that, in furtherance of this purpose, it was the intention of this Government to hold conversations with the other Governments associated with it in the development and use of atomic energy, and subsequently with other governments. The first step having been taken, it is now desired, as the next step, to hold exploratory conversations with the

⁴³ Not printed.

⁴⁴ See footnote 41, p. 90.

^{44a} For an account of the interdepartmental working group which drafted these proposals and of the policy committee which considered them and recommended them to the Secretary of State, see *The New World*, 1939/1946, pp. 471-472. The policy committee met in the office of Benjamin V. Cohen, Counselor of the Department of State, and its other members were Adm. William H. P. Blandy, Drs. Bush and Pasvolksy, and Messrs. Harrison and Bohlen.

Soviet Government in regard to this matter which is of such vital importance to the peace and well-being of the peoples of the world.

As the Soviet Government is aware, the Governments of Great Britain, Canada and the United States believe that a commission should be established under the United Nations Organization to study the problems raised by the discovery of atomic energy and other related matters and to make recommendations for submission to the Organization. It is the hope of this Government that the Soviet Government will join in the sponsorship of a proposal to this effect at the first meeting of the United Nations in January, 1946. A draft embodying the present views of the Government of the United States as to the method of establishing the commission is submitted herewith.^{44b} It is the desire of this Government to have a full exchange of views on this draft and to learn whether the Soviet Government will join in a proposal along these lines.

It is the belief of this Government that the substantive problem presents very difficult questions; in consequence agreed international action is likely to be exceedingly complex and must be based upon careful and earnest study.

The problem appears to this Government to consist of a number of separate although related segments. These segments include (1) the ever-widening exchange of scientists and scientific information; and scientific techniques and materials, (2) the development and exchange of knowledge concerning natural resources, (3) the exchange of technological and engineering information, (4) safeguards against and controls of methods of mass destruction. It is the belief of this Government that successful international action with respect to any phase of the problem is not necessarily a prerequisite for undertaking affirmative action with respect to other phases. Affirmative action should be taken whenever it is likely to be fruitful.

This Government believes that mutually advantageous international action might well be undertaken promptly with respect to the first segment listed above—the exchange of scientists and scientific data. This Government attaches great importance to the development of effective collaboration in all fields of science.

The other segments present very troublesome questions which require for their solution the devising of effective, reciprocal and enforceable safeguards acceptable to all nations. The United States Government does not purport to have the solution to these questions, but it is eager

^{44b} For a later version of this document, see p. 665.

and willing to work with the Soviet Union and other nations toward the establishment, as rapidly as possible, of mutually acceptable arrangements for full collaboration in these areas. To this end the United States Government will be glad to consider such proposals as the Soviet Government may wish to make in respect to any phase of these problems and to discuss them with the Soviet Government both in the United Nations Commission and separately.

[Annex]

PROPOSED RECOMMENDATION FOR THE ESTABLISHMENT BY THE UNITED NATIONS OF A COMMISSION TO DEAL WITH THE PROBLEMS RAISED BY THE DISCOVERY OF ATOMIC ENERGY AND OTHER RELATED MATTERS

I. *Establishment of the Commission*

The Commission should be established by the General Assembly which is the only body, under the terms of the Charter, possessing the authority to examine the entire problem of atomic energy.

II. *Reports of the Commission*

The reports of the Commission should be made to the General Assembly for transmission to the members of the United Nations, the Security Council, and the Economic and Social Council. The General Assembly should also request action of the Security Council and the Economic and Social Council on those aspects of the reports which require action, and which fall within the respective jurisdiction of those bodies.

III. *Composition of the Commission*

The Commission should be composed of one representative each of those nations represented on the Security Council, and Canada when that nation is not a member of the Security Council. Each representative on the Commission should have such assistants as he may desire.

IV. *Rules of Procedure*

The Commission should establish its own rules of procedure. It should choose its own officers, and have whatever staff may be deemed necessary.

V. *Terms of Reference of the Commission*

The Commission should proceed with the utmost dispatch and inquire into all phases of the problems, including the following matters, and make such recommendations from time to time with respect to them as it finds feasible: (1) wide exchange of scientists and basic scientific information for peaceful ends, (2) further measures to

facilitate and promote the use of atomic energy for peaceful purposes, and the controls necessary to limit its use to such purposes, (3) the elimination from national armaments of atomic weapons and all other weapons capable of mass destruction, and (4) effective safeguards by way of inspection and other means for those nations complying with the recommendations of the Commission.

The Commission should not infringe upon the responsibility of any organ of the United Nations, but should present recommendations for the consideration of those organs in the performance of their tasks under the terms of the United Nations Charter.

[Subannex]

DRAFT OF U.S. PROPOSALS ON EXCHANGE OF SCIENTISTS AND SCIENTIFIC DATA

A. *Exchange of Scientists, Scientific Information*

1. The exchange of scientific information, scientists and students between all nations for peaceful purposes should be encouraged and extended to the end that each nation may fully benefit by the scientific progress made by others.

2. In furtherance of this objective the following steps should be taken:

a. A Declaration of Principles regarding Scientific Freedom should be adopted, to which all nations should subscribe and which should be based on the following policies:

1. Each nation should agree to invite visits of foreign scientists freely to its laboratories where basic scientific research is carried on, as may be arranged by the participating governments or by the scientists themselves, and with no artificial barriers applicable to foreigners that do not apply to its own nationals; to encourage and assist its own scientists to travel freely for such purposes; and to further the exchange of students for the same purposes.

2. Each nation should agree to encourage its scientists to publish freely and to give the widest dissemination to the results of their work.

b. In implementation of the Declaration of Principles outlined above, there should be within the framework of the United Nations an International scientific agency charged with the responsibility of fostering full cooperation among nations in the exchange of scientists and scientific information. In carrying out this responsibility the scientific agency should encourage the dissemination of fundamental scientific information in all fields including the field of atomic fission, further the exchange of scientists and students and make arrangements for the calling of International Science Congresses.

B. Exchange of Isotopes

An international exchange of certain radio active isotopes which are useful for scientific and medical research should be initiated. This exchange might well be carried on through the medium of the central agency for the international exchange of scientific information outlined in the preceding proposal. It should be coordinated with the measures outlined in (A) in such a way as to make such exchange of isotopes of maximum usefulness.

Lot 55D 540 Box 266

The Secretary of the Navy (Forrestal) to the Secretary of State

WASHINGTON, 11 December 1945.

MY DEAR MR. SECRETARY: I have just seen for the first time the paper ^{44c} which is proposed as a basis for your forthcoming conversations with the U. S. S. R. concerning the proposal for the creation of an Atomic Energy Commission within the United Nations Organization.

I feel most strongly that the proposed basis of discussion goes too far. I believe that there should be no discussion of proposals as to the specific kinds and types of information in this field to be made available by this country to other Nations until a procedure for the exchange of such information has been worked out that will guarantee genuine reciprocity in such exchanges.

Specifically I recommend that the basis of discussion in the forthcoming conversations be confined to that indicated in the enclosed revision of the proposed paper.^{44d} This revision, you will note, deals

^{44c} Memorandum of December 10, p. 92.

^{44d} Enclosure not printed; Secretary Forrestal's alternative draft included the following changes:

The final sentence of the second paragraph (p. 92) was revised to read: "... conversations with the Soviet Government with respect to methods of promoting international cooperation in this field."

The third paragraph was revised to read: "As the Soviet Government is aware, the governments of Great Britain, Canada and the United States believe that a commission should be established under the United Nations to study the problems raised by the discovery of atomic energy and other related matters, and to make recommendations for submission to the Organization. It is expected that a proposal to this effect will be presented at the first meeting of the United Nations in January, 1946. There is attached in this connection as Annex I a draft incorporating the present views of the United States with respect to the establishment of the proposed commission. This Government proposes this draft as a basis for discussion and is desirous of ascertaining whether the Soviet Government will associate itself with a proposal along these lines."

The remaining paragraphs were to be omitted.

The annex to the proposed paper was to be the same as that proposed by the informal interdepartmental committee (*ante*, p. 94), except that item (2) of section V was changed to read "the necessary measures to facilitate . . ." and item (4) to read "effective safeguards for those nations complying with the recommendations of the Commission."

wholly with the establishment of the proposed Atomic Energy Commission of the United Nations Organization in connection with the plan annunciated by President Truman and Prime Minister Attlee in their recent declaration.

Sincerely yours,

JAMES FORRESTAL

Lot 55D 668, Box 2380

*Memorandum by the Secretary of War (Patterson) to the
Secretary of State*

WASHINGTON, December 11, 1945.

For your information I am sending you a copy of a memorandum from General Groves on certain questions in which I know your mission to Moscow is interested.

I approve of paragraphs 1a and b. No comment by me is necessary on paragraph 1c or paragraph 2 which merely reflect General Groves' views.

ROBERT P. PATTERSON

[Enclosure]

WASHINGTON, 11 December, 1945.

MEMORANDUM FOR THE SECRETARY OF WAR:

1. In accordance with your instructions I give below my views on the steps which should be taken with respect to our domestic situation insofar as it affects the Moscow negotiations. If these meet with your approval, the United States representatives for the scheduled atomic energy discussions in Moscow should be informed.

a. Scientific information which can safely be made public should be released as soon as practicable. The possible amount of this information is so great that it cannot all be released at once but the process of release will extend over the next year or so. It includes information on medical research and other scientific matters not related to bomb production. A large amount of other information is vital to the national security and must not be released. Still other material is doubtful and will have to be carefully screened. I am momentarily expecting recommendations from my committee of scientists which has been reviewing this question.

b. Arrangements should be made as soon as practicable for the distribution of certain isotopes of value for peacetime research in medicine and other sciences. Possible isotopes among others might be radio-sodium, radio-phosphorus, long life radio-carbon, radio-iron and radio-calcium. This step would not endanger the national security by appreciably hastening bomb production in any other country. While such isotopes can be made in minute quantities in cyclotrons they can be made in real quantity as by-products of our operations. No isotopes of real value in further research for

bomb production should be released. There will be a considerable time lag involved in making the arrangements for proper distribution to qualified scientists in this country which must be done before any distribution can be made to foreign governments or nationals.

c. The visits of foreign scientists to this country would have to be carefully supervised to prevent them from gaining appreciable information applicable to wartime uses of atomic energy. Furthermore, I know of no way of ensuring that American scientists traveling in Russia will not disclose vital information.

2. I hope that the negotiators will not go beyond the first step outlined in the Joint Declaration of November 15, 1945. Specifically I hope they will not at this time discuss the raw material situation as covered in Paragraph 8 of the Declaration.

L. R. GROVES
Major General, USA

[For documentation concerning atomic energy prior to and during the Tripartite Conference of Foreign Ministers which took place in Moscow, December 16-26, 1945, see pages 560 ff.]

500.CC (PC)/12-2845 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, December 29, 1945—9 p. m.

11149. Reference Copre 680.⁴⁵ Please request British Government to take necessary steps to have formation of an Atomic Energy Commission placed on the agenda of GA by January 4 as a proposal sponsored by the United Kingdom, Russia, the United States and Canada, and also by China and France if their concurrence in this procedure is obtained by the British Government. Inform Stevenson ⁴⁶ of this action.

For your information an invitation has been extended by us in accordance with the Moscow Agreement ⁴⁷ to the other permanent members of the Security Council, France and China, together with Canada to join in assuming the initiative in sponsoring the proposed resolution at the first session of the General Assembly.

ACHESON

⁴⁵ Reference is to telegram 13630, December 28, 1945, from London, which inquired concerning the possibility of including atomic energy on the General Assembly agenda (500.CC (PC)/12-2845). Copre was the designation for telegrams from the United States delegation to the United Nations Preparatory Commission, meeting in London.

⁴⁶ Adlai E. Stevenson, Acting United States Representative, United Nations Preparatory Commission.

⁴⁷ See Section VII of the Communiqué on the Moscow Conference of the Three Foreign Ministers, December 27, 1945, transmitted to the Department in telegram 4284, December 27, 3 a. m., from Moscow, pp. 815, 822.

FIRST SESSION OF THE COUNCIL OF FOREIGN MINISTERS, LONDON, SEPTEMBER 11–OCTOBER 2, 1945 ¹

740.00119 Council/8–1545

The British Chargé (Balfour) to the Secretary of State

WASHINGTON, August 15, 1945.

MY DEAR MR. SECRETARY: I have been instructed by the Secretary of State for Foreign Affairs ² to give you the following message:

"I am greatly looking forward to seeing you here in London for the opening sessions of the Council of Foreign Ministers. I suggest that the first meeting of Foreign Secretaries should take place on Monday, September 3rd, but it would be convenient if Delegations could arrive in London at least by September 1st in order to establish contact with each other and in order that deputies could meet together to discuss procedure and prepare agenda for the first meeting of Foreign Secretaries.³

I suggest that the first item on the Agenda should be the preparation of the Peace Treaty with Italy,⁴ and in order to make early progress I hope to circulate to my colleagues in advance the British draft proposals for the Political Sections of the Treaty. I hope at the opening sessions of the Council in September we could also discuss the other subjects referred at Potsdam to the Council, i.e.

1. Preparation of Peace Treaties with Hungary, Roumania, Bulgaria and Finland.⁵
2. Withdrawal of troops from Persia.

¹ For the agreement for the establishment of a Council of Foreign Ministers, see section I of the Protocol of the Proceedings of the Berlin Conference, signed August 1, 1945, *Foreign Relations, The Conference of Berlin (The Potsdam Conference)*, 1945, vol. II, p. 1478.

² Ernest Bevin.

³ At the suggestion of the Secretary of State, the opening of the Conference was postponed. The first meeting was held on September 11.

⁴ For documentation on proposals for a revision of the Italian Armistice Agreement and for a preliminary treaty of peace with Italy, see vol. IV, pp. 991 ff. See also the exchange of correspondence concerning the Italian peace treaty printed in the Department of State *Bulletin*, November 11, 1945, pp. 761–765.

⁵ Additional documentation concerning the attitude of the United States with regard to the preparation of peace treaties with the former German satellites is included among the papers relating to the interest of the United States in the establishment of representative government in Hungary, vol. IV, pp. 798 ff., *passim*; the efforts of the United States to help bring about a democratic solution of the Rumanian constitutional crisis, vol. V, pp. 464 ff., *passim*; the interest of the United States in the post-armistice problems of occupation and control in Bulgaria, vol. IV, pp. 135 ff., *passim*; and the interest of the United States in the internal affairs of Finland, *ibid.*, pp. 598 ff., *passim*.

3. Disposal of Italian colonies.

4. International waterways.⁷

In view of developments in the Far East it will no doubt be essential to discuss the questions relating to Japan.

I should greatly welcome your observations on these suggestions and I should be glad to know whether there are any further subjects which you would like to discuss.

I am sending a similar message to Russian, French and Chinese Foreign Ministers."

If you will give me your observations in due course, I shall be glad to transmit them to Mr. Bevin.

I have [etc.]

JOHN BALFOUR

863.01/8-1845 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 18, 1945—6 p. m.

[Received 7:40 p. m.]

8387. Personal for the Secretary. Yesterday evening Bevin asked me to call on him. He wanted me to tell you that he hopes very much that the US will not recognize the Renner Govt in Austria⁸ until he has had an opportunity to talk to you when you come here the first of Sept. He feels that the policies carried out in Austria will influence decisions in the Balkans on which, he tells me, you and he were in agreement. He is also anxious to discuss with you his ideas in regard to Trieste."

Sir Ronald Campbell will act as Bevin's deputy on the Council of Foreign Ministers and the British are planning to continue the Secretariat at Lancaster House where the Council of Foreign Ministers will meet. This is the same group that has served the EAC (European Advisory Commission),¹⁰ which also met at Lancaster House.¹¹

WINANT

⁷ For additional documentation regarding the interest of the United States in the control of European inland waterways, see pp. 1362 ff.

⁸ For documentation regarding the interest of the United States in the establishment of a government for Austria, see vol. III, pp. 559 ff., *passim*. Karl Renner was Chancellor of an Austrian Government formed in April 1945.

⁹ In telegram 7068, August 20, 1945, 8 p. m., to London, the Secretary of State directed Ambassador Winant as follows: "Please tell Mr. Bevin that we do not intend acting on Austria now and will be glad to talk to him about that and Trieste at the forthcoming meeting." (863.01/8-1845)

¹⁰ The European Advisory Commission ceased to exist in August 1945. For documentation regarding the dissolution of the Commission, see vol. III, pp. 539 ff., *passim*.

¹¹ Telegram 8640, August 24, 1945, from London, reported further on British plans in connection with secretarial arrangements for the forthcoming conference. The British were planning to set up a strong secretariat whose services would be available to other delegations. (740.00119 Council/8-2445)

740.00119 Council/8-2445

The Secretary of State to the British Chargé (Balfour)

WASHINGTON, August 24, 1945.

MY DEAR MR. CHARGÉ D'AFFAIRES: I thank you for your courtesy in forwarding to me, by your letter of August 15, the message of the Secretary of State for Foreign Affairs concerning the agenda of the first meeting of the Council of Foreign Ministers. I shall also be grateful if you would kindly forward the following comments to Mr. Bevin:

"I, too, am looking forward with keen anticipation to the beginning of the work of the Council of Foreign Ministers. I plan to arrive in London one or two days before the first meeting, which will, apparently, be agreed on for September 10.

"I shall be happy to examine in advance the British draft proposals for the political sections of the peace treaty with Italy. I assume that the Council will wish, at its first session, to survey the heads of agreement to be embodied in this treaty, leaving to the Deputies¹² the elaboration of the actual draft. I should think the Council would find it more convenient to take up the question of the future of the Italian colonies in connection with the Italian treaty rather than to treat this question as a distinct item on the agenda. Otherwise, the subjects listed in your message seem to me to record fully the agenda assigned to the Council by the Berlin Conference.

"If you have in mind any matters on the Far East which you think should be brought up at this time, I should be glad to have your suggestions."

I thank you for your kindness in transmitting these comments to Mr. Bevin.

Sincerely yours,

JAMES F. BYRNES

840.811/8-2445

The British Embassy to the Department of State

AIDE-MÉMOIRE

Mr. Bevin has expressed his earnest desire to discuss with Mr. Byrnes on his arrival at the Foreign Secretaries Conference the general situation throughout the Danubian and Balkan area.

¹² Telegram 1810, August 22, 1945, 7 p. m., to Moscow, directed Ambassador Harriman to inform Foreign Commissar Molotov that Assistant Secretary of State James C. Dunn would accompany the Secretary of State to the meeting of the Council of Foreign Ministers and would remain as the Secretary's Deputy on the Council. Ambassador Harriman was further directed to impress strongly on Molotov the importance of each Foreign Minister being represented on the Council by a Deputy who, as a high policy-making officer of his Government, would have authority to carry forward the work of the Council expeditiously during the intervals between the attendance of the Foreign Ministers (740.00119-Council/8-2245).

2. Mr. Bevin is of the opinion that the time has come to consider the problem created by the political and economic situation in Austria, Czechoslovakia, the ex-satellite countries and Yugoslavia as a whole rather than piecemeal, as has hitherto tended to be the case owing to the course of events. The political situation obtaining in all these countries except Czechoslovakia is in every respect similar, inasmuch as governments with totalitarian leanings subservient to the Soviet Union have been manoeuvred into power and are being kept there with the help of or intimidation by the Soviet authorities. There are moreover prospects of early elections in the satellite countries and Yugoslavia, from which will no doubt emerge governments equally unrepresentative and equally under Soviet influence if not control, which may well develop into totalitarian regimes, if the present tendencies are allowed to continue. Thus it would seem evident that the time has come to decide whether or not to acquiesce in this block of countries remaining indefinitely in the Soviet sphere of influence. It is therefore important to consider the objectives it is desired to achieve in this arena, the steps to be taken to effect them and the lengths to which action to such end might go. For instance, in the political sphere it must be recognised that some of these countries may not be sufficiently advanced to make a success of democratic government on lines which the United States Government and His Majesty's Government could approve. In the economic and agricultural field it is desirable to consider what assistance can be offered to these countries by the United States and the United Kingdom to induce them to look to the West rather than to the East. Having thus obtained a clearer picture of the situation, the two Governments would then be in a more advantageous position to invite frank discussions with the Soviet Government.

3. It does not seem open to question that unless the United States Government and His Majesty's Government can come to some agreement with the Soviet Government over long-term policy in the whole of the Danubian and Balkan area, they run the grave risk that their general relations with that Government will be at the continual mercy of recurring disagreement and conflict in that part of the world.

4. As Mr. Byrnes is aware, the British and American Delegations made various attempts to raise these matters at Potsdam, but without success, since the Russians made counter charges about conditions in other spheres. As a result, the various papers put forward by the United States and United Kingdom Delegations were withdrawn. The general line of policy of both the United States and His Majesty's Governments has remained fluid and, as stated above, both countries have been forced into dealing piecemeal with sudden developments

in one or other of these countries as they arise. There is a danger that uncoordinated methods of handling this very delicate and important problem may lead to the two Governments failing to combine their policies to the greatest advantage.

5. As an example in point, the United States Government took a separate initiative in Roumania against the Groza Government.¹³ In Bulgaria, although a joint policy was in essentials agreed upon, the United States political representative acted somewhat in advance of His Majesty's Government in regard to the coming elections. It seems clear that in challenging, as the American and British Governments have done, the predominant position which the Soviet Government has built up for itself in these two countries, the two Governments are embarking upon a course which will call for the most careful navigation.

6. The situation in the other countries is also far from satisfactory. With regard to Yugoslavia,¹⁴ it may be argued that it is still too early to accuse Marshal Tito¹⁵ of having deliberately ignored the terms of the Tito-Subasic Agreement,¹⁶ which was negotiated under Anglo-American auspices. There is no doubt, however, that the spirit of the Agreement has been consistently broken by Marshal Tito and that a new form of dictatorship has been set up. Hopes for anything approaching free elections in Yugoslavia are not bright. The same is true of Albania.¹⁷

7. In Austria, the United States Government and His Majesty's Government are admittedly on firmer ground than in any of the other countries under consideration, since United States, British and French troops between them occupy three quarters of the country. But here too a Government set up unilaterally by Soviet occupation forces still claims to be the Government of Austria as a whole. Moreover it contains more Communists (all in key positions and all imported from Moscow) than the strength of that Party in Austria warrants.

¹³ Petru Groza was Prime Minister of Rumania from March 6, 1945.

¹⁴ For documentation regarding the interest of the United States in the establishment of a united provisional government for Yugoslavia, see vol. v, pp. 1174 ff.

¹⁵ Marshal Josip Broz Tito, Prime Minister and Minister of National Defense in the Provisional Government of Yugoslavia.

¹⁶ For the text of the agreement between Marshal Tito, then President of the National Committee of Liberation of Yugoslavia, and Ivan Subasic, then Prime Minister of the Yugoslav Government in Exile at London, signed November 1, 1944, regarding the formation of a new Yugoslav government, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, pp. 251-253. For documentation regarding the concern of the United States over the internal conditions within Yugoslavia in 1944, including the events leading to the Tito-Subasic agreement, see *Foreign Relations*, 1944, vol. iv, pp. 1330 ff.

¹⁷ For documentation regarding possible American recognition of the Albanian regime, see vol. iv, pp. 1 ff.

8. In Czechoslovakia,¹⁸ a country of vital industrial importance to the economy of Central Europe, the political position looks more promising, but the country is still very much isolated from the West and subject to constant Soviet propaganda.

9. In Hungary, no less important from the agricultural point of view, it is to be expected that Soviet tactics will be the same as in Roumania, although so far they have not taken definite shape.

10. Mr. Bevin is deeply impressed by the fact that the whole of this region represents a single economic unit, which could be largely self-supporting if the various countries were to pool their resources and eliminate the tariff barriers which at present isolate each of them in its own separate poverty. Although the Soviet Government would no doubt view with suspicion any attempt to induce these countries to cooperate in the economic field, he feels that every effort ought nevertheless to be made to overcome the Soviet objections, if it is in the interest of Europe as a whole to do so. The situation has been rendered all the more dangerous by crushing trade agreements which have been imposed on Roumania and Bulgaria by the Soviets. There are moreover indications that the Hungarians will soon be obliged to sign a similar agreement.

11. Mr. Bevin earnestly hopes that Mr. Byrnes will be prepared to discuss these matters as soon as he arrives in London.

WASHINGTON, August 24, 1945.

740.00119 EW/8-2545 : Telegram

The Minister in Ethiopia (Caldwell) to the Secretary of State

ADDIS ABABA, August 25, 1945—1 p. m.

[Received August 27—6:45 a. m.]

213. In audience August 24 concerning an impending conference in London to discuss peace treaty with Italy, Emperor¹⁹ stated that as victim of aggression Ethiopia has claims to Eritrea and Italian Somaliland and that reservations were made at San Francisco for their "return" to Ethiopian sovereignty.²⁰ He requested information from US Govt as to manner in which Ethiopian interests will be assured in coming discussions.

¹⁸ For documentation regarding the interest of the United States in the reestablishment of democratic government in Czechoslovakia, see vol. iv, pp. 420 ff.

¹⁹ Haile Selassie.

²⁰ See *Documents of the United Nations Conference on International Organization, San Francisco, 1945*, vol. X (U. N. Information Organizations, London, New York, 1945), p. 499, for statement by the Ethiopian delegation in the 11th Meeting of Commission II, General Assembly, Committee 4, Trusteeship System, May 31, 1945.

Note from Foreign Office received same date asks Ethiopian participation in conference and states similar note sent USSR, UK and French Govts.²¹

CALDWELL

740.00119 Council/8-2745

The British Embassy to the Department of State

AIDE-MÉMOIRE

His Majesty's Government in the United Kingdom understand that His Majesty's Government in Australia have approached the United States Government with a request for full participation by Australia in the Council of Foreign Ministers in relation to every aspect of the Pacific settlement.²²

His Majesty's Chargé d'Affaires is instructed to inform the Secretary of State that His Majesty's Government in the United Kingdom support the Australian request and consider that Canada and New Zealand should similarly participate in the Council of Foreign Ministers, if they wish, in relation to the Pacific settlement. His Majesty's Government recognise that the question of admitting other governments to the Council is a matter to be decided by the Council itself when it meets but they hope that in the meantime the United States Government will give sympathetic consideration to the Australian request.

WASHINGTON, August 27, 1945.

²¹ Note 3959/50, dated August 24, 1945, from the Ethiopian Foreign Office to Minister Caldwell, transmitted the minutes of the Emperor's conversation with Caldwell and an Ethiopian Foreign Ministry memorandum dated August 24 regarding Ethiopian territorial demands. Telegram 219, August 30, from Addis Ababa, summarized the memorandum as follows: "Memorandum expresses confidence that United States Government appreciates Ethiopia's desire to set forth its claims as first and principal victim of Italian aggression and to participate 'at a conference the decisions of which must have far reaching and decisive influence on Ethiopian interests' and presents request that Ethiopian Government have 'opportunity of participating by a delegation at the forthcoming conference of London'." (88.014/8-3045) The note, memorandum, and minutes were transmitted to the Department as enclosures to despatch 502, August 29, 1945, from Addis Ababa, none printed (884.014/8-2945).

²² Telegram 127, August 22, 1945, from Canberra, printed in vol. VI, transmitted the summary of a memorandum by the Australian Government, dated August 24, requesting, *inter alia*, that Australia should take full part as a member of the Council of Foreign Ministers in relation to all matters affecting or concerning the Pacific and Far East. Telegram 87, August 24, to Canberra, also printed in vol. VI, directed Chargé Minter orally to inform the Australian Government that matters coming before the Council of Foreign Ministers other than those determined at the Berlin Conference would have to be agreed to by all five Governments represented on the Council. Telegram 135, August 31, from Canberra reported that Herbert V. Evatt, Australian Minister of State for External Affairs, again requested United States support for Australian membership on the Council as well as the opportunity for him to see President Truman and the Secretary of State in the near future (740.00119 Council/8-3145).

740.00119 Council/8-3145

Memorandum of Conversation, by the Director of the Office of Far Eastern Affairs (Ballantine)

[WASHINGTON,] August 31, 1945.

Mr. Chen ²³ said that the other day he had been informed by Mr. Vincent ²⁴ that the United States Government did not intend to raise any Far Eastern questions at the Council of Foreign Ministers in London. He said that he had been instructed by his Government to inform the Department that the Chinese Government likewise did not intend to raise any Far Eastern questions there.

J[OSEPH] W. B[ALLANTINE]

740.00119 Council/9-445

The Italian Embassy to the Department of State ²⁵

SUMMARY OF ITALIAN VIEWS FOR AN EQUITABLE SOLUTION OF THE PRINCIPAL QUESTIONS WHICH MAY BE DISCUSSED AT THE LONDON PEACE CONFERENCE

1. *Eastern frontier with Yugoslavia*

Italy wishes a complete understanding with Yugoslavia and believes that the "Wilson Line" ²⁶ may be taken as a basis for an adjustment of the common frontier, although this would mean the very painful loss of two flourishing Italian cities, Fiume and Zara, and of nearly 80,000 Italians.

Italy is ready to reach an agreement with bordering countries on the utilization of the harbour of Trieste and to conclude with Yugoslavia—under the auspices of the United Nations—mutual obligations for the granting of cultural guarantees and local autonomies to respective minorities. The enforced transfer of populations is against Italian feelings and traditions, but, if deemed necessary Italy will not oppose it. To ensure peace in the Adriatic, Italy is willing to

²³ Chen Chih-mai, Counselor of the Chinese Embassy.

²⁴ John Carter Vincent, Chief of the Division of Chinese Affairs.

²⁵ Received in the Department September 4, 1945. One of the two file copies of this document bears the marginal note: "Left with President by It. Ambassador during his recent call."

²⁶ During the Paris Peace Conference in 1919, President Woodrow Wilson put forward a proposal for the demarcation of the Italo-Yugoslav frontier. The most detailed formulation of the line by the American delegation at the Peace Conference appears in a memorandum by Douglas Johnson, dated May 8, 1919, printed in René Albrecht-Carrié, *Italy at the Paris Peace Conference* (New York, 1938), p. 93, and in Ray Stannard Baker, *Woodrow Wilson and the World Settlement* (New York, 1923), vol. III, pp. 296-302. For President Wilson's brief description of his proposal, made at a meeting of the Council of Four, May 13, 1919, see *Foreign Relations, The Paris Peace Conference, 1919*, vol. V, p. 579. The "Wilson Line" is indicated on the map facing p. 252.

accept the demilitarization of Pola, if requested, provided that the same measure be put into effect for the naval base of Cattaro and that the full independence of Albania be maintained.

2. *Western Frontier with France*

On February 29, 1945 Italy signed with France an agreement renouncing all Italian rights (deriving from previous treaties) to the protection of Italians in Tunis. Consequently, the French Government stated that they did not intend to advance any other claims than those relating to Fezzan (in Southern Libya). Now the French ask for adjustments on Italy's Western frontiers. Even on this issue Italy has not maintained an uncompromising attitude, but pursues the road of direct and friendly negotiations with the firm intention of attaining a sound understanding between the two countries.

3. *Northern Frontier of the Brenner Pass*

In these days Italy is enacting the legislation that will give the most large and guaranteed autonomy to German minorities that live together with the Italians in upper Adige, applying to the full extent also in this region (as in the Valley of Aosta and for Slav minorities) all democratic principles of individual and collective liberties.

4. *Aegean Islands*

The Italians would willingly see them entrusted to Greece as a compensation and token of friendship between the two Mediterranean countries.

5. *Colonies*

The ancient African colonies of pre-fascist Italy are bound by indissoluble ties to Italian minds: they are poor territories inhabited by a small native population composed mostly of nomads, where Italy has achieved a great work of civilization and where large Italian communities have established their homes.

a) *Libya:*

Italy is willing to give military guarantees in order to ensure full security to the bordering countries and to the international sea and air routes. The Italian Government believe that such a security could be obtained through the establishment of "strategic areas", air and naval bases and other guarantees in the Tobruk sector and in Marmarica, while Italian direct sovereignty is maintained in Libya which is inhabited by more than 140,000 Italian settlers.

b) *Eritrea*

The Italian Government consider that the maintenance of Italian sovereignty in Eritrea, inhabited by nearly 70,000 Italians is fully reconcilable with Ethiopia's requirements for a free outlet to the sea in the zone of Assab (Southern Eritrea), for which purpose Italy has built the road leading from Dessiè to Assab. This access could

be guaranteed either within Italian territory or through frontier rectifications. Furthermore, to meet the requirements of the Northern Abyssinian regions a free zone could be established in the harbour of Massawa.

c) Somaliland

If requested, Italy is ready to discuss the establishment and the technicalities of a trusteeship system.

6. Fleet, Army, Aviation

Italy is glad to cooperate, within the security system of the United Nations, with an adequate contribution in strength, proportioned to her position.

740.00119 Council/9-445

The Yugoslav Chargé (Makiedo) to the Secretary of State ²⁷

Pov. Br. 1114

The Yugoslav Chargé d'Affaires presents his compliments to the Honorable the Secretary of State and has the honor to transmit to him the request of the Yugoslav Government that its representatives be invited to the coming conference of the five foreign ministers, which will be held in London at the beginning of September and which will settle the peace agreement with Italy.

This request is based on the decisions of the Potsdam Conference since Yugoslavia is directly concerned with and interested in the peace settlement with Italy.

WASHINGTON, September 4, 1945.

740.00119 Council/9-645

The British Chargé (Balfour) to the Under Secretary of State
(Acheson)

WASHINGTON, September 6, 1945.

MY DEAR UNDER-SECRETARY: In his letter to me of the 24th August the Secretary of State conveyed to me a message for Mr. Bevin on

²⁷ On September 4, 1945, the Yugoslav Chargé also submitted to the Department a memorandum requesting that the claims of the Yugoslav Government to the so-called "Julian Region" along the Italo-Yugoslav frontier be impartially examined at the Council of Foreign Ministers meeting (740.00119 Council/9-445). In a memorandum to the Yugoslav Chargé, dated September 14, 1945, the Department conveyed the information that the United States delegation to the Council of Foreign Ministers at London had been given a copy of the Yugoslav memorandum (740.00119 Council/9-445). The territorial claims of the Yugoslav Government with regard to the Italo-Yugoslav frontier region were set forth in great detail in document C.F.M. (45) 26, September 18, 1945, entitled "Italian Peace Treaty: Yugoslav Frontier and Trieste, Statement of Views of Yugoslav Government", p. 229.

the subject of the work of the forthcoming meeting of the Council of Foreign Ministers.

I have now been instructed by Mr. Bevin to thank Mr. Byrnes for his message and to say that he agrees that the question of the future of the Italian Colonies can best be treated in connection with the Italian Peace Treaty.

As regards the Far East Mr. Bevin has at present no specific subjects to suggest for discussion but he considers that the possibility ought not to be ruled out that certain Far Eastern questions may be ripe for discussion during the meeting.

I should be most grateful if you would cause Mr. Byrnes to be informed of the foregoing.

Yours sincerely,

JOHN BALFOUR

740.00119 Council/9-745 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, September 7, 1945—2 p. m.

[Received 8:04 p. m.]

5357. 1. Bidault²⁸ tells me that he is leaving tomorrow for London. He remarked that the French attitude at this juncture in connection with Italy is more benevolent than that of the Soviets or "even of Great Britain". He said that (as trusteeship would involve the Soviet) France would like to see Italian colonies returned to Italy and that France sympathizes with Italy in regard to the Trieste difficulty. He added, however, that France will ask for a minor frontier rectification.

2. He said that (having in mind the London meeting) he fully realizes France's present world position. France has no military or economic force to speak of. France must rely upon justice, equity and fair play.

3. He will take Couve de Murville²⁹ with him as deputy and leave him there when he returns to Paris. He does not want to be absent from France more than a few weeks. He added that when Couve de Murville returns here he will take de Jean's³⁰ place at the Quai d'Orsay.

4. He said that after his return to Paris he and de Gaulle³¹ will make a trip to Brussels.

²⁸ Georges Bidault, French Minister for Foreign Affairs.

²⁹ Maurice Couve de Murville, former French delegate to the Advisory Council for Italy and French representative to the Italian Government; from September 7, 1945, Director General in Charge of Political Affairs of the French Foreign Ministry.

³⁰ Maurice de Jean, Director General in Charge of Political Affairs of the French Foreign Office; from September 7, 1945, Ambassador to Czechoslovakia.

³¹ Gen. Charles de Gaulle, President of the Council of Ministers of the Provisional Government of the French Republic.

Sent Dept as 5357, repeated London for the Secretary ³² as 656, Moscow as 315, Brussels as 96 and Rome as 185.

CAFFERY

740.00119 Council/9-845: Telegram

The Acting Secretary of State to the Secretary of State, at Sea

WASHINGTON, September 8, 1945—5 p.m.

Secdel 12.³³ The Iranian Chargé d'Affaires ³⁴ called on me today, on urgent instructions from his government, to point out that the Tripartite Agreement between Great Britain, Russia, and Iran of January 29, 1942 ³⁵ provides that Iran shall be consulted in discussions concerning it in post-war conferences such as meeting of Council of Foreign Ministers.

He requested that the U.S. support actively at the London meeting Iran's claim to be heard on the question of concern to Iran. I replied that I would transmit his government's representations to you immediately.³⁶

ACHESON

740.00119 Council/9-845

Memorandum of Conversation, by the Acting Secretary of State

[WASHINGTON,] September 8, 1945.

The Soviet Chargé ³⁷ called at his request. He stated that he had come at the direction of Mr. Molotov to inform the Department that Mr. Molotov's alternate at the meeting of Foreign Ministers in London would be Ambassador Fedor Tarasovich Gusev, the Soviet Ambassador in London.³⁸ I thanked him for this information and told him that we would promptly inform Secretary Byrnes.

³² The Secretary sailed from New York for London on September 5, 1945.

³³ "Secdel" was the designation assigned to a series of telegrams from the Department of State to the American delegation to the meetings of the Council of Foreign Ministers; "Delsec" was the designation for telegrams from the American delegation to the Department.

³⁴ A. A. Daftary.

³⁵ For text of this treaty, see Department of State *Bulletin*, March 21, 1942, p. 249.

³⁶ Telegram 702, September 7, from Tehran, printed in vol. VIII, transmitted the request from the Iranian Foreign Ministry that an Iranian representative participate in the Council of Foreign Ministers discussion of the question of the evacuation of Iran.

³⁷ Nikolai Vasilyevich Novikov.

³⁸ Telegram 3193, September 7, from Moscow, reported that British Ambassador Clark Kerr had been informed by Foreign Commissar Molotov that Gusev would serve as Molotov's Deputy on the Council of Foreign Ministers. The telegram added, "Molotov apologetically said that the Soviet Foreign Service was very short of good men and that Gusev had some able assistants." (740.00119-Council/9-745)

The Chargé asked me how long I would estimate that this meeting of the Foreign Ministers would take. I said that, for my own sake, I hoped that the Secretary would not be away more than three weeks and that I believed it was his hope that he could return for pressing duties here after two weeks or so in London. By that time, the Foreign Ministers would have had an opportunity to go over the main questions and leave directives for further work with the staffs who would remain in London. The Chargé said that he too hoped that the meeting would not be too prolonged but, remembering that many other Foreign Ministers, such as the Foreign Minister of Czechoslovakia,³⁹ were to be in London and would wish to be received, he thought that the amount of work before the Foreign Ministers was very considerable.

DEAN ACHESON

740.00119 Council/9-845

*The Belgian Ambassador (Silvercruys) to the Acting Secretary of State*⁴⁰

[Translation]

D.1091

WASHINGTON, September 8, 1945.

No. 5989

MR. SECRETARY OF STATE: On the eve of the meeting of Ministers of Foreign Affairs in London, which is called to apply the recent agreements of Potsdam to prepare treaties pertaining to the States which fought on the side of Germany, my Government has intrusted me with the honor of calling to the attention of the Government of the United States the interests of Belgium in the countries in question, and of informing it of the confidence with which she expects to be consulted, prior to any decision, at the time which shall be judged opportune by the powers participating in the negotiations.

In the case of Rumania, especially, where Belgium has important interests, the Minister of Foreign Affairs in Brussels is convinced that the Secretary of State of the United States and the other Ministers of Foreign Affairs in Council in London, will consider it their duty to consult the representative of my country before deciding what stipulations to make and what conditions to prescribe.

My Government does not doubt the concern of the Government of the United States and of the other interested Governments to agree on this point with its legitimate preoccupation.

I avail myself [etc.]

SILVERCRUYS

³⁹ Jan Masaryk.

⁴⁰ The Acting Secretary of State informed the Belgian Ambassador on October 1, 1945, that the latter's note had been referred to the Secretary of State in London.

Council of Foreign Ministers File : Lot M-88

*Record of the First Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 11, 1945, 4 p. m.*⁴¹

C.F.M.(P) (45) 1st Meeting

PRESENT ⁴²

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. B. V. Cohen	M. F. T. Gousev
Sir A. Clark Kerr	Mr. J. Dunn	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
Mr. W. D. McAfee	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
M. Massigli	Dr. Victor Hoo	
M. Fouques Duparc	Dr. Hollington Tong	
M. Mathieu	Mr. Yang Yun Chu	

MR. BEVIN welcomed the Delegates on behalf of His Majesty's Government. The armies of the United Nations had carried out their task; and it was now for the Foreign Ministers to complete their work by laying the foundations for a sound and lasting peace.

MR. BYRNES, M. MOLOTOV, M. BIDAULT and DR. WANG thanked Mr. Bevin and associated themselves with his remarks.

⁴¹ Document C.F.M.(45) 12, September 13, entitled "Composition and Functions of Joint Secretariat", p. 155, which was approved by the Council of Foreign Ministers at its Third Meeting, September 14, p. 158, set forth under item 5 the procedure for the preparation of a record of meetings of the Foreign Ministers and of their Deputies. This decision was, however, nullified by the Foreign Ministers at their Fifteenth Meeting, September 21. For the American Minutes of that meeting, see p. 288.

⁴² Aside from the Foreign Ministers, the delegations consisted of the following persons: For the United Kingdom—Sir Ronald I. Campbell, Deputy to Foreign Secretary Bevin and Acting Under Secretary of State in the British Foreign Office, Sir Archibald Clark Kerr, British Ambassador in the Soviet Union, Alfred Duff Cooper, British Ambassador in France; for the United States—Benjamin V. Cohen, Special Assistant to the Secretary of State, James C. Dunn, Deputy to Secretary Byrnes and Assistant Secretary of State, John Foster Dulles, Consultant to the Secretary of State, and Charles E. Bohlen, Assistant to the Secretary of State; for the Soviet Union—Fedor Tarasovich Gusev, Deputy for Foreign Commissar Molotov and Soviet Ambassador in the United Kingdom, Kiril Vasilyevich Novikov, Chief of the Second Section (United Kingdom) of the Soviet Foreign Commissariat, Sergey Aleksandrovich Golunski, Member of the Collegium of the Soviet Foreign Commissariat and Chief of the Juridical Division, and Vladimir Nikolayevich Pavlov, Personal Secretary and Interpreter to Foreign Commissar Molotov; for France—Maurice Couve de Murville, Deputy to Foreign Minister Bidault and Director General in Charge of Political Affairs in the French Foreign Ministry, René Massigli, French Ambassador in the United Kingdom, Jacques Fouques-Duparc, of the French Foreign Ministry; for China—Wellington Koo, Chinese Ambassador in the United Kingdom, Victor Hoo, Chinese Vice Minister for Foreign Affairs until August 1945, Hollington K. Tong, Chinese Vice Minister for Information until August 1945, and Yang Yun-chu, Director of the East Asiatic Department of the Chinese Foreign Ministry.

1. PROCEDURE OF THE COUNCIL

(a) Chairmanship

MR. BYRNES suggested that, following the procedure adopted at the meetings of the Foreign Secretaries at Potsdam, the Chairmanship should rotate. He proposed that Mr. Bevin should preside at the present meeting.

This was agreed. It was further agreed that the order of Chairmanship should be Mr. Bevin, M. Molotov, Dr. Wang Shih Chieh, Mr. Byrnes, M. Bidault.

(b) Meetings

It was agreed that there should be regular meetings of the Deputies in the mornings and of the Foreign Ministers in the afternoons. The Deputies should prepare the Agenda for the Foreign Ministers and deal with any matters referred to them. Expert Committees might be appointed as required.

(c) Secretariat

MR. BEVIN said that, to avoid any initial delay, the British Government had made available staff for a Conference Secretariat, under the direction of Mr. Norman Brook, which would circulate documents and agenda papers, and secure agreed statements of conclusions and maintain constant touch with the Secretaries of all the Delegations. This Secretariat would also be ready to produce an unofficial report of the proceedings of the meetings. This report would not be binding on any Delegation, but the Secretariat would be glad to receive any comments or corrections which Delegations might wish to make.

M. MOLOTOV suggested that a joint Secretariat might be set up immediately, and that the Secretaries of the various Delegations should meet that evening to discuss the matter and make recommendations. M. Molotov formulated his proposal as follows:—

- (i) The Council of Foreign Ministers considers it necessary to set up a joint Secretariat;
- (ii) The Council instructs the Secretaries of the five Delegations to consider how such a Secretariat should be established;
- (iii) The Council instructs its representatives to consider whether such a Secretariat should serve only for the present Conference, or should be the basis for a permanent organisation.
- (iv) The Council instructs its representatives to report to the next meeting of Foreign Ministers.

MR. BYRNES said that, as far as he was concerned, he would be satisfied with the arrangement which Mr. Bevin had proposed, but he was willing that the alternative should be discussed as proposed.

It was agreed that the following representatives should meet that evening—

U.S.S.R.	M. K. V. Novikov
U.S.A.	Mr. T. C. Achilles ⁴³
China	Dr. Victor Hoo
France	M. A. Berard ⁴⁴
U.K.	Mr. P. M. Crosthwaite ⁴⁵

with Mr. Norman Brook to consider the functions and constitution of the Secretariat and to submit recommendations for consideration on the following day.

(d) Languages of the Conference

MR. BEVIN suggested that the documents of the Council should be issued in three languages, English, Russian and French.

DR. WANG said that he thought that for the more important documents there should also be a Chinese version.

It was agreed that all the documents of the Council should be prepared in English, Russian and French, and that the more important documents should also be translated into Chinese.

(e) Competence of Members of the Council

MR. BEVIN asked whether it was a correct interpretation of the terms of reference of the Council that, while all five members might attend all meetings and take part in all discussions, in questions concerning peace settlements the representatives of States which were not signatories to the relevant Armistices should not vote.

After some discussion—⁴⁶

⁴³ Theodore C. Achilles, Secretary to the American delegation to the Conference.

⁴⁴ First Counselor of the French Embassy in the United States.

⁴⁵ Ponsonby Moore Crosthwaite, First Secretary of the British Embassy in the Soviet Union.

⁴⁶ The American minutes of the discussion regarding the question of the competence of the Council read as follows:

"BEVIN said that the next question was that of the competence of the Council.

"MOLOTOV thought the matter should be considered later.

"BEVIN thought it was necessary to raise this question at the beginning.

"MOLOTOV thought he could agree in principle now, but that the details should be discussed later. He also thought that countries not represented now should be asked if they wished to be present during considerations of certain questions.

"BYRNES said that at Potsdam there was agreement that so far as representatives on the Council, all representatives interested in a question should participate, but they would not all necessarily vote. For example, in the case of Finland where the U.S. was not a party to the armistice, the United States would participate in the discussion but would not vote. So far as the U.S. Delegation was concerned, it was willing to review the decision taken at Potsdam, and was entirely willing to have all members participate and vote.

"MOLOTOV said he was not empowered to revise decisions taken at the Berlin Conference.

"BYRNES said he was not making a motion, but was merely stating the position of the U.S. Delegation.

"BIDAULT said that so far as the French Delegation was concerned, the decisions referred to were taken at a meeting at which France was not represented. These decisions could, of course, bind others, but they had no such effect on the French Delegation. On the question of substance, the French Delegation asked the right to participate in all questions which were discussed. The

It was agreed that all five members of the Council should have the right to attend all meetings and take part in all discussions, but that in matters concerning peace settlements members whose Governments had not been signatories to the relevant Terms of Surrender should not be entitled to vote.

(f) *Press Arrangements*

MR. BEVIN recalled that the following arrangements had been proposed—

- (i) The Council's proceedings should be secret.
- (ii) The progress of the Council's work should be published from time to time in agreed communiqués.
- (iii) Each Delegation should appoint its own Press Officer.
- (iv) The Council should appoint a Standing "Communiqué Committee" which might consist of the five Press Officers.

M. MOLOTOV said that the Soviet Delegation would appoint Mr. Zinchenko⁴⁷ as their Press Officer. Agreed Communiqués could be issued from time to time; but he was doubtful whether it was necessary to establish a Standing Committee to deal with them. This had not been found necessary at Conferences of Heads of Governments.

MR. BYRNES said that present conditions were different from those at earlier Conferences. He thought it might be helpful if at the close of each day's proceedings a communiqué were issued containing only the decisions reached, and not a record of the discussions. He saw no objection to a Standing Committee acting as a link with the Press.

This might help to prevent pressure on Delegations or members of their staffs to make independent statements to the Press.

It was agreed to appoint a Press Communiqué Committee consisting of the Press Officers of the five Delegations, who would issue from time

matter of voting raised legal questions, and the French Delegation, of course, did not insist on a vote in all cases.

"BYRNES said he did not believe it would be a violation of the Potsdam Agreement for the French to participate in the discussions. His understanding was that a party could be present and participate in the discussions, but not vote unless it were directly concerned.

"MOLOTOV inquired if Bevin suggested that all five representatives have the right to attend discussions if they wished to do so, but that decisions could be made only by the representatives concerned. If that were so, he agreed.

"BEVIN said he wanted to know what the understanding was. Would all five attend the discussions, but if they had no interest, would not vote? If they were interested, they would vote.

"BYRNES said that so far as the United States was concerned, this was all right if it meant that they would not only be present but could participate in the discussion.

"MOLOTOV said he had no objection.

"BIDAULT agreed with what Mr. Byrnes had said.

"This was agreed to." (740.00119 Council/9-1145)

⁴⁷ Konstantin Emelyanovich Zinchenko, Chief of the Press Department of the Soviet Foreign Commissariat.

to time agreed communiqués recording the progress of the Council's work and the decisions reached.⁴⁸

2. AGENDA FOR THE CONFERENCE

MR. BEVIN circulated the following list of subjects proposed for discussion at this series of meetings of the Council:—⁴⁹

1. Italy
 - (a) Draft Peace Treaty;
 - (b) Future of the Italian Colonies.
2. Draft Peace treaties with Roumania, Bulgaria and Hungary.
3. Draft Peace Treaty with Finland.
4. Withdrawal of Allied troops from Persia.
5. International inland waterways.
6. Austria (proposed by United Kingdom).
 - (a) Long term supply arrangements;
 - (b) Possible recognition of central government.
7. Black Sea Straits (United States intention).
8. Review of decisions of the Berlin Conference regarding policy in Germany. (French proposal).
9. Review of Berlin Conference's decisions on German fleet and merchant ships. (French proposal).
10. Political situation in Roumania (United States intention).
11. Work of the German Reparations Commission (Russian proposal).
12. Hastening of the repatriation of Soviet citizens. (Russian proposal).

He suggested that the Council should consider whether this could be accepted as a provisional Agenda. It would, of course, be understood that any member might propose further items for discussion as the meetings proceeded.

In discussion of this list, the following points were raised:—

(a) M. MOLOTOV said that it had been contemplated at the Berlin Conference, and in a subsequent telegram from Mr. Bevin, that the draft Peace Treaties for Finland, Hungary, Bulgaria and Roumania

⁴⁸ The communiqué on the opening session of the Council of Foreign Ministers was released to the press on September 11; for text, see Department of State *Bulletin*, September 16, 1945, p. 392. For texts of subsequent communiqués dealing with meetings of the Council from September 12 to October 2, see *ibid.*, October 14, 1945, pp. 564-567.

⁴⁹ The American minutes of the meeting begin this discussion as follows:

"BEVIN said he had circulated the items which he had received for the agenda.

"The other members present pointed out that they were seeing these for the first time.

"BEVIN repeated he had merely circulated the items submitted to him. The question was whether these items were in order for consideration. He pointed out that it had been decided that any member would be free to propose any item for the agenda." (740.00119 Council/9-1145)

should be regarded as a single item for discussion by the Council of Foreign Ministers. He suggested that items 2 and 3 on the above list should be amalgamated.

This was agreed.

(b) MR. BYRNES recalled that the Berlin Conference had remitted only items 1 to 5 of the proposed agenda for consideration by the Council of Foreign Ministers.

The United States Government had not asked that item 7 (Black Sea Straits) should be included in the agenda. While it would be proper to raise it in connection with Item 5 (International Inland Waterways) he had not asked for it to be considered as a separate item. Nor had his Government asked for Item 10 (Political Situation in Roumania) to be included in the agenda.

It was agreed that items 7 and 10 on the above list should not be included in the Agenda for the Conference.⁵⁰

(c) M. MOLOTOV said that Mr. Bevin's list included the question of Austria. The Soviet Delegation had not with them the economic experts they would require for discussion of supplies for Austria. He suggested that this question should be referred to the Allied Council for Austria.

MR. BEVIN pointed out that at the Berlin Conference the three Governments had agreed that they would examine the Soviet proposals for the extension of the authority of the Austrian Provisional Government to all of Austria after the entry of the British and American forces into the city of Vienna. The British Government's view was that these questions should be considered by the Council of Foreign Ministers, and not delegated to the Allied Council. He would, however, be willing for these matters to be examined in the first instance by the Deputies.

M. MOLOTOV said that, if the question of supplies for Austria was to be discussed, it would be necessary for him to summon experts to London.

⁵⁰ Concerning the discussion with regard to this point, the American Minutes read as follows:

"MOLOTOV said he had no objection to Items 7 and 10 being removed from the agenda, but he did not think that Item 10 related to the peace treaties nor that Item 7 related to the inland waterways. With reference to the Black Sea Straits he recalled that the Protocol of the Berlin Conference stated that it was agreed that as a next step this question would be the subject of direct negotiations between each of the three Governments and the Turkish Government.

"BYRNES said he heartily agreed. All he said was that these two items were not added to the agenda at the United States' request. He did not, however, attempt to confine the discussion of items that were placed on the agenda.

"BEVIN observed that it was agreed that these items come off." (740.00119-Council/9-1145).

After further discussion Mr. BEVIN suggested that M. Molotov's difficulties might be met if the four Governments represented on the Allied Council for Austria instructed their representatives to consult together immediately on the question of long-term supply arrangements for Austria, and to submit their recommendations in time for them to be considered before the end of the present series of meetings of the Council of Foreign Ministers.

It was agreed that the Secretaries to the United Kingdom, United States of America, Soviet and French Delegations should prepare the draft of a communication to be sent, in identical terms, by each Government to its representative on the Allied Council for Austria conveying an instruction on the lines suggested by Mr. Bevin.

(*d*) M. MOLOTOV observed that the question of Japan was not included in Mr. Bevin's suggested Agenda, although in his message of 14th August ⁵¹ Mr. Bevin had indicated that it might come up for discussion.

MR. BEVIN said that the words used in his message had been—"in view of developments in the Far East it will no doubt be essential to discuss questions relating to Japan". In fact, however, no specific proposal had been put forward by other Governments for discussion; and he was not aware that there was any particular question ready for discussion in relation to the Far East.⁵²

(*e*) M. MOLOTOV drew attention to the French proposals, under Item 9 in the list, for review of the Berlin Conference decisions on the German Fleet and Merchant Navy. He said that he had no authority to review decisions reached by Heads of Governments at the Berlin Conference.

M. BIDAULT said that the Berlin decisions were binding only on the three Governments represented at that Conference, and the French Government did not consider itself bound by any decision to which it was not a party.

MR. BEVIN asked whether there was any objection to allowing the French, as they had not been present at Berlin, to put their case before this meeting.

⁵¹ For text of Foreign Secretary Bevin's message to the Secretary of State, transmitted to the Secretary in Charge Balfour's note of August 15, see p. 99.

⁵² In connection with the discussion with regard to the placing of Far Eastern questions on the agenda, the American Minutes record the following remark by the Secretary of State: "BYRNES said that the United States Delegation did not understand that Far Eastern questions would be considered. At Berlin they had thought that there would be greater progress if they concentrated on the questions already raised and the United States Delegation was not prepared to raise Far Eastern matters." (740.00119 Council/9-1145)

MR. BYRNES asked whether Item 8 (Review of decisions of the Berlin Conference regarding policy in Germany) was not in the same category from this point of view as Item 9, and whether Item 11 (Work of the German Reparations Commission) was not also in this category. He also made the point that Item 8 was wide enough to cover Item 9, as well as many other decisions of the Berlin Conference.⁵³

M. MOLOTOV suggested that Item 9 should be taken off the Agenda and that Item 8 should remain.

M. BIDAULT said that, on the assumption that Item 8 covered all German questions (and he understood that M. Molotov and Mr. Byrnes agreed to this assumption), he would agree to the deletion of Item 9.

MR. BYRNES said that he thought it would be useful if the Council could have some idea of the precise points covered by Item 8.

M. BIDAULT said that, in putting forward Item 8, the French Government had it in mind that the Conference should be free to discuss the problems of Germany, which were very important to all concerned and especially to France. It was not right that German problems should be excluded from discussion at this first meeting of the Council.

MR. BEVIN suggested that further discussion of the question whether Item 8 should be included in the Agenda should be postponed until the French Delegation had submitted a memorandum indicating more

⁵³ In connection with this point in the Council's discussions, the American Minutes record the following exchange between the Secretary of State and Foreign Commissar Molotov:

"BYRNES said he understood Mr. Molotov to say that he had no objection to the item remaining on the agenda but he gave notice that he had no authority to review a decision taken by the head of his Government.

"MOLOTOV said he had no authority to discuss this question.

"BYRNES pointed out that Item 8 proposed a review of the decision of the Berlin Conference and also that the Russian proposal of Item 11 on the work of the Reparations Commission also involved a similar matter.

"MOLOTOV said the Soviet Delegation did not propose to change any decision that had been taken.

"BYRNES observed that Mr. Molotov did not then assert this item had been referred to the Council.

"MOLOTOV repeated he had no authority to discuss questions on which decisions had been taken at Berlin.

"BEVIN asked what this statement applied to. Did it apply to Items 8, 9, and 11?

"MOLOTOV said it was not clear with regard to Item 8 but Item 9 would lead to a possible repudiation of a decision taken at Berlin.

"BYRNES said he agreed that Item 8 covered Item 9 and all other decisions of the Berlin Conference.

"MOLOTOV suggested that Item 9 be taken off the agenda and that they leave Item 8." (740.00119 Council/9-1145)

precisely what points they wished to raise on the Berlin decisions regarding policy in Germany.⁵⁴

MR. BYRNES suggested that as regards Items 8, 11 and 12 documents should be submitted before it was decided whether the items should remain on the Agenda. The first five items on the list had been specifically referred to the Council by the Berlin Conference and he had not come to London prepared to discuss other questions. When it was proposed that a further item should be added to the Agenda, it was reasonable to ask that some information should first be provided as to the scope of the additional matter proposed.

M. MOLOTOV said that it was not his impression that the Berlin decisions had restricted the discussions of the Foreign Ministers only to such questions as had been specifically referred to them, and he thought they were free to add other subjects at their discretion. The Soviet Delegation thought that the Conference could discuss questions not connected with the Berlin Conference, and they therefore suggested that it should deal with Items 11 and 12 and also with the question of the political situation in Greece.

MR. BEVIN read the relevant paragraph in the Berlin Protocol, namely, "Other matters may from time to time be referred to the Council by agreement between the member Governments" (Berlin Protocol I A (3) (iii)). The wording of Item 8 of the draft Agenda was, however, very wide and he again suggested that further discussion should be adjourned until the Conference had been informed of the decisions it was suggested should be reviewed.

M. BIDAULT pointed out that Item 8 was not a special case, and that further information might be requested on similar grounds as regards other items on the Agenda. While he did not consider that the French Delegation should be asked to give written justification for suggesting this subject for discussion, he was prepared to put in a document on Item 8, and also to propose a revised version of the heading for the Agenda (which had not been drafted by the French Delegation).

⁵⁴ With regard to the British proposal to postpone further discussion about Item 8 of the agenda, the American minutes record the following exchange between Foreign Secretary Bevin and Foreign Commissar Molotov:

"BEVIN said it was necessary to know on what points Mr. Molotov did have authority to revise action taken at Potsdam.

"MOLOTOV said he would set forth his point of view when the proper time came.

"BEVIN said he could not agree to this item remaining on the agenda and Mr. Molotov being able to veto other questions. If he knew what the French Government wanted to review he could consider its proposals but to place a general item on the agenda and have other Governments say they could not discuss certain questions placed the British in a very invidious position. He therefore suggested that these items be adjourned until they knew what decisions the Governments wanted reviewed.

"MOLOTOV said it seemed agreed that they take off Item 9.

"BEVIN said he had not agreed to anything." (740.00119 Council/9-1145).

MR. BEVIN said that he was not suggesting that it was necessary for the French Government to submit a justification of their proposal that the decisions of the Potsdam Conference should be reviewed. The position was that the suggestion under item 9 (Review of Berlin Conference decisions regarding the German Fleet and Merchant Navy) was sufficiently precise to enable the Soviet Delegation to say that they could not discuss the matter; on item 8 however, the other Delegations required to know what the French Government had in mind. Until some more precise indication was given he was not in a position to say whether or not he could agree to the matter being placed on the Agenda of the Conference.

MR. BYRNES referred again to the terms of reference of the Council. The paragraph quoted by Mr. Bevin had been carefully drafted and, as he understood it, contemplated that the Council should consider only those questions which the member Governments were agreed should be submitted to it, and not proposals which were put forward merely by a single Government. He understood, however, that the French Delegation were ready to submit a memorandum on Item 8; and he hoped that the Soviet Delegation would do the same on items 11 and 12.

M. MOLOTOV thought that Mr. Bevin's suggestion that the French proposals should be made more precise was quite proper. He agreed also with Mr. Byrnes that the Agenda of the Council should be made up of questions which member Governments were agreed in submitting to it. For his part, however, he would not think it right that the Council should refuse to hear the views of the French Government on German questions. As regards the items proposed by the Soviet Delegation (Nos. 11 and 12), he was ready to submit memoranda.

M. BIDAULT said he would like to make the position of the French Delegation clear. He was ready to submit a memorandum on German questions which the French government desired to be considered; but he must object to any suggestion that the submission of such a memorandum was a condition which must be fulfilled before a subject could be placed on the Agenda of the Conference. In order to make this point clear, he would propose tomorrow a redraft of item 8.

After some further discussion⁵⁵ the following conclusions were reached regarding the Agenda for the present series of meetings:—

⁵⁵ The attempt of Foreign Commissar Molotov to add Greece as an agenda item is recorded as follows in the American Minutes:

"MOLOTOV said he would like to add the question of the political situation in Greece.

"BEVIN said he declined to discuss this.

"MOLOTOV asked if Mr. Bevin was content with the situation in Greece.

"BEVIN pointed out that Mr. Molotov had objected to discussing the situation in Rumania and he found it strange that he proposed to discuss the situation in Greece.

"MOLOTOV proposed submitting these questions in writing.

"BEVIN rejoined that Greece was an Allied country and he was not prepared to discuss it." (740.00119 Council/9-1145)

(1) Items 1-5 on the list circulated by Mr. Bevin were accepted for inclusion in the Agenda; items 2 and 3 being amalgamated into a single item.

(2) On Item 6, a report from the representatives of the four Governments responsible for the Allied Council for Austria would be obtained in time for consideration by the Council before the end of the present series of meetings;

(3) Items 7, 9 and 10 should not be included in the Agenda.

(4) On Items 8, 11 and 12, the French and Soviet Delegations respectively would submit memoranda, in the light of which the Council would give further consideration to the question whether these subjects should be discussed at the present series of meetings.

(5) It would be understood that any announcement made regarding the subjects for consideration at the present series of meetings would make it clear that further subjects might be added to the Agenda as the work of the Council proceeded.

3. ITALY: DRAFT PEACE TREATY

MR. BEVIN said that he would like to raise a point of procedure in connection with the consideration of a draft Peace Treaty for Italy. Should the interested States other than those represented at the Conference be heard before or after the draft Peace Treaty was prepared? In order to avoid the confusion which had occurred at the Peace Conference at the end of the last war, there was much to be said for hearing these States before the draft was finally prepared.

MR. BYRNES said that the United States Delegation had prepared a Memorandum on the procedure to be followed in preparing the Italian Peace Treaty.⁵⁶ (Copies of this document were handed round). He suggested that this document should be considered by the Deputies at their meeting on the following morning. While fully appreciating the interest of many of the United Nations in the question of the Italian Peace Treaty, he felt that in considering who should be invited to put forward their views on the matter the Council should keep in mind the great importance of making quick progress. When the draft Treaty had been prepared, it would be submitted to all the interested United Nations concerned before signature.

MR. BEVIN said that the British Government would wish the Council to consider at the same time the question of consultation with the Governments of British Dominions.

M. MOLOTOV said he had no objection to the Memorandum being referred for preliminary consideration by the Deputies on the following day, though he must make the reservation that he had not had time to examine the contents of this document. He would also like to add that, in his view, the procedure adopted for the Italian Peace Treaty with regard to consultation with other United Nations should also be followed in the case of the draft Peace Treaties for Hungary,

⁵⁶ Memorandum by the United States delegation, designated C.F.M.(45) 2, September 12, entitled "Italian Treaty Procedure", p. 134.

Roumania, Bulgaria and Finland. He had received proposals dealing with the political aspects of the Peace Treaty with Italy, but not with the economic or military aspects. He would like to receive the views of the British Government on these two questions also.

MR. BYRNES said that he had not yet received the views of the British Government on any aspects of the Italian Peace Treaty.

MR. BEVIN undertook to arrange for copies of the British views on the political aspects of the Italian Peace Treaty to be sent at once to Mr. Byrnes.⁵⁷

It was agreed that the memorandum submitted by the United States Delegation (C.F.M.(45) 2) should be referred for consideration in the first instance by the Meeting of Deputies.

4. INTERNATIONAL INLAND WATERWAYS

MR. BYRNES submitted for circulation a memorandum by the United States Delegation on International Inland Waterways (C.F.M.(45) 1⁵⁸)

5. TIMES OF MEETINGS

It was agreed that the Council of Foreign Ministers should meet daily at 4.00 p. m., and that on Wednesday, 12th September, the Deputies should meet at 11.30 a.m. On subsequent days the meeting of Deputies might be held at an earlier hour.

871.00/9-1145

The British Embassy to the Department of State

MEMORANDUM

The Foreign Office have had under consideration the trade agreements recently concluded between the U.S.S.R. on the one hand, and Roumania, Bulgaria and Hungary on the other. These agreements, of whose provisions the State Department are doubtless aware, fall into two categories, first, the agreements for economic collaboration signed between the U.S.S.R. and Roumania and the U.S.S.R. and Hungary, and, secondly, the commodity exchange agreements which the U.S.S.R. has signed with all three countries.⁵⁹

⁵⁷ See memorandum by the United Kingdom delegation, designated C.F.M.(45) 3, September 12, entitled "Draft Heads of Treaty with Italy", p. 135.

⁵⁸ Dated September 12, entitled "Draft Agreement Establishing Emergency Regime for European Inland Waterways", p. 132.

⁵⁹ Rumania and the Soviet Union concluded an economic collaboration agreement at Moscow on May 8, 1945, and Hungary and the Soviet Union concluded a similar agreement at Moscow on August 27, 1945. For the text of the Rumanian-Soviet agreement, see *British and Foreign State Papers*, vol. CXLIX, p. 876; the Hungarian-Soviet agreement is described in Department of State *Bulletin*, September 1, 1946, p. 394. The Soviet Union concluded trade agreements with Bulgaria on March 14, 1945, with Rumania on May 8, 1945, and with Hungary on August 27, 1945. For descriptions of these agreements, see *ibid.*, pp. 392, 396, 397, and 394, respectively.

2. The conclusion of the Soviet-Roumanian agreement for economic collaboration is, in the view of the Foreign Office, contrary to the obligation of the Allied Powers *inter se* to abstain from negotiating peace arrangements with a common enemy. A formal state of war with Roumania still exists and it follows from this that no one ally should unilaterally enter into arrangements which might prejudice the position of the other allies in the eventual peace settlement. The Soviet-Roumanian agreement undoubtedly contravenes these principles and it is particularly improper in that it has been concluded with a government which owes its existence to active Russian intervention. There can be no question but that the agreement will militate against existing and future British and other Allied interests in Roumania.

3. No authoritative text of the corresponding Hungarian agreement has yet been received. It appears, however, that it is very similar to the Roumanian, and if this proves to be the case the above objections would apply with equal force.

4. On the other hand, the commodity exchange agreements signed with all three countries do not appear to be open to the same objections, since the right of the Soviet Government to enter into direct commercial relations with Hungary, Bulgaria and Roumania can scarcely be contested. However, as the State Department will be aware from Mr. Balfour's conversation with Mr. Byrnes on August 25th and from the *Aide-Mémoire*⁶⁰ which Mr. Balfour left with Mr. Byrnes on that occasion, the Foreign Office consider that it is desirable to treat the Danubian states as an economic unit. The diversion to the Soviet Union of substantial quantities of supplies from these three countries, in addition to the far larger quantities removed from two of them as reparations etc., undoubtedly militates against this principle.

5. The Foreign Office would therefore propose that these matters might be discussed at the Council of Foreign Ministers. They are of course closely related to the question of supplying food to Vienna, about which, as the State Department will be aware from the second paragraph of the British Embassy's *Aide-Mémoire* of September 3rd regarding Austria,⁶¹ the Foreign Office are already preparing detailed proposals for submission to the Council. Consideration might be given in addition to the possibility of including in the Roumanian,

⁶⁰ Presumably, the reference is to the British *aide-mémoire* of August 24, 1945, to the Department of State, p. 101. No record has been found of the conversation between the Secretary of State and Mr. Balfour, British Chargé in Washington.

⁶¹ The British Embassy's *aide-mémoire* of September 3, 1945, is not printed. The Department's answer is contained in the memorandum of September 14, to the British Embassy, vol. III, p. 594. For additional documentation regarding the problem of the Danubian basin as a long-range food supply source for Vienna and Austria, see *ibid.*, pp. 571-622.

Bulgarian and Hungarian peace treaties a most favoured nation clause drawn on wide terms to cover not only external trade but also participation in the economy of these countries. Such a clause would of course be entirely incompatible with the economic collaboration agreements which the Russians have negotiated with two of these countries.

6. The Foreign Office hope that the Department of State will agree with the views put forward in the preceding paragraphs and that the United States Representative will be able to support the British Representative in the Council of Foreign Ministers in raising these matters along the lines proposed.

WASHINGTON, September 11, 1945.

Council of Foreign Ministers Files: Lot M-88

*Record of the Second Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 12, 1945, 4 p.m.*⁶²

C.F.M.(P) (45) 2nd Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper
Mr. Ivanoff

U.S.A.

Mr. Byrnes
Mr. B. V. Cohen
Mr. J. Dunn
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov (Chairman)
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
M. Massigli
M. Fouques Duparc
M. Mathieu

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

AUSTRIA

(Previous Reference: C.F.M.(D) (45) 1st Meeting,⁶³ Minute 2)

SIR RONALD CAMPBELL reported the views expressed at the meeting of Deputies held that morning, which are recorded in the Minutes of that meeting (C.F.M.(D) (45) 1st Meeting, Minute 2).⁶⁴

⁶² For text of the brief communiqué issued after this meeting, see Department of State *Bulletin*, October 14, 1945, p. 564.

⁶³ Document designation for the agreed record of the 1st meeting of the Deputies of the Council of Foreign Ministers, held at Lancaster House, London, September 12, 1945, at 11:30 a. m. Deputies present were as follows: For the United States—James C. Dunn; for the United Kingdom—Sir Ronald Campbell; for the Soviet Union—Fedor Tarasovich Gusev; for France—Maurice Couve de Murville; for China—Dr. Wellington Koo.

⁶⁴ Acting under instructions from the Deputies, the Secretaries of the dele-

(Footnote continued on following page.)

The Council first discussed the suggestion of the United States Delegation that the telegram to be sent to the Allied Commanders-in-Chief in Austria should invite their views on "the extension of the authority of the Austrian Provisional Government to all of Austria" instead of "the possible recognition of a central Government".

On this point MR. BEVIN said that the United Kingdom Delegation had deliberately used the original words so as to enable the Allied Council to discuss the question on its merits and without having its hands tied by the more restricted wording used in the Protocol of the Berlin Conference. If no agreement were reached about the extension of the authority of the present Austrian Government to the whole of Austria, the Council would be no further forward. Under the British proposal the Council could make constructive proposals. It was desirable that the Austrian Government should be set up on a proper basis so as to get the economic life of the country going, and members of the Allied Council should be able to express their views freely. He had, however, no objection to mentioning also the decision of the Berlin Conference.

MR. BYRNES said that it was the view of the United States Delegation that it would be better to frame the instructions to the Allied representatives in Austria in the language which had been agreed to at the Berlin Conference.

(Footnote continued from p. 125)

gations prepared the following draft telegram to be sent to the Allied Council for Austria:

"At the first meeting of the Council of Foreign Ministers on 11th September the British Foreign Secretary suggested that two of the items for discussion at the Conference should be (a) long term supply arrangements for Austria, and (b) possible recognition of a central Government.

"It was agreed that the four Governments represented on the Allied Council for Austria should instruct their respective representatives on the Council to consult immediately on these questions and submit their recommendations in time for them to be considered before the end of the present series of meetings of Foreign Ministers.

"You should consult with your colleagues with a view to an immediate consideration of these matters and submission of reports not later than September with such agreed recommendations as may be possible.

"An identical telegram has been addressed to each of your colleagues."

In the course of the discussion among the Deputies regarding this draft telegram, Mr. Dunn suggested that, in substitution for the words following (b) in the first paragraph of the draft, it would be preferable to employ the language used in the Protocol of the Berlin Conference, viz., "the extension of the authority of the Austrian Provisional Government to all of Austria". Ambassador Gusev suggested that the telegram should include a reference to the need for giving early effect to the decision of the Berlin Conference on this point, viz., that the three Governments were prepared to examine, after the entry of the British and American Forces into Vienna, the question of the extension of the authority of the Austrian Provisional Government to all of Austria. The Deputies agreed that the draft telegram and the suggestions raised with regard to it in the Deputies' meeting be referred to the Foreign Ministers for decision. (Council of Foreign Ministers File: Lot M-88: File CFM London Deputies Minutes)

M. MOLOTOV suggested that, to save time, they should retain the language used at Berlin; the result, he said, would be the same in either case.

MR. BEVIN said that in his view it would be a pity to limit the Allied Council by using the language of the Berlin decisions as that would preclude them from giving this Conference any advice on possible alternative government. He would, however, be content to use the Berlin language if it were also indicated that the Control Council was not thereby precluded from suggesting an alternative government.

M. BIDAULT said that the text as it appeared in the draft telegram was quite satisfactory to him, but that he had no objection to the use of the language employed at Berlin. He would, however, have strong objection to a text which referred specifically to decisions to which the French were not a party.

MR. BEVIN said that in the circumstances he would prefer to delete (b) altogether and ask for the views of the Allied Council on (a) only. He agreed with M. Molotov that this would not preclude further discussion at this Conference of the question of a Central Government for Austria.

It was agreed that the views of the Allied Council should be sought only on the question of long-term supply arrangements for Austria; and that all words after (b) should be deleted from the draft telegram.

It was further agreed to insert the words "so far as possible" after "recognition" in the second paragraph of the draft telegram; and that the date to be inserted in the third paragraph of the draft telegram should be 18th September.

The text of the telegram as agreed by the Council is set out in C.F.M.(45) 5.⁶⁵

2. ITALY: DRAFT PEACE TREATY

(Previous Reference C. F. M.(D) (45) 1st Meeting, Minute 3)

SIR RONALD CAMPBELL reported the views expressed at the meeting of Deputies that morning on the procedure to be followed in the preparation of the Italian Peace Treaty; and said that the Deputies desired guidance from the Council on the question which Governments not represented at the Council should be invited to express their views at this stage on those aspects of the Italian settlement which were of particular concern to them.

MR. BYRNES said that, in the view of the United States Delegation, only those Governments directly interested should be invited to express their views at this stage. He fully realised the difficulties arising

⁶⁵ CFM (45) 5, September 12, 1945, not printed. For text of the telegram as sent, see telegram 9375, Delsec 9, September 12, 9 p.m., from London, vol. III, p. 590.

from the fact that many of the United Nations were interested in this question to a greater or less extent, but he had hoped that, by limiting the invitations to those Governments whose countries had been attacked, it would be possible to secure their presence in London before the end of the present Conference. If, however, invitations were to be extended to all countries which had contributed to the defeat of Italy, it would be impossible to secure their attendance in time; for in addition to the countries already mentioned, Brazil, Poland and many other countries which considered that they had made a military or economic contribution towards Italy's defeat would have to be invited. He therefore suggested that this point should be passed over for the time being in the hope that, as the discussions proceeded and the principles involved became more clear, it might be possible to find some other yardstick by which it could be decided which Governments should be invited. Before the text of the Treaty was finally settled, it would, of course, have to be submitted to all the United Nations concerned.

MR. BEVIN said that, in spite of the fact that the United States Delegation had withdrawn their proposal for consultation with certain interested States, he must still press the claims of the British Dominions and India who would object strongly to any decisions being taken without their having been heard. In particular, the Government of South Africa was vitally interested in the whole question of their connections with Europe through the Mediterranean. He had, of course, no objection to the other countries concerned also being heard.

M. MOLOTOV said that Mr. Bevin's remarks were of great practical moment. They all shared his views about the merits of the Dominions' claims and about their services and sacrifices in the war. He thought, however, that the United States proposal about the principles on which the selection should be made was in general correct. They could discuss at a later stage what arrangement should be made to ensure that the Dominions were given an opportunity to express their views. If, however, they were to extend the number of countries which should be invited to discuss the Treaty at this stage, the work of the Conference would be dragged out inordinately. He asked whether there were any practical suggestions as to how this very complicated question might be settled.

M. BIDAULT said that the French Delegation would have no objection to the largest possible number of States being invited to take part in the discussions, but in view of the practical difficulties they had

suggested at the meeting that morning that, as a compromise, those nations which had contributed largely to the defeat of Italy should be invited to submit their views to the Council in writing. Perhaps this suggestion could be further considered by the Deputies.

MR. BYRNES suggested that the Deputies should examine the question whether all interested Governments should be asked to submit their views in writing. At the end of the present visit of Foreign Ministers, the Deputies would have to devote some considerable time to this matter. Before the Foreign Secretaries met again to consider the result of the Deputies' work, it could be determined which Governments, if any, should be invited to appear before the Council. It might be that a workable plan for the attendance of interested Governments could be worked out before the end of the present visit of Foreign Ministers; but in his view it was more important to proceed with discussion of the actual provision of the Treaty, than to wait until all the United Nations had expressed their views to the Council.

MR. BEVIN asked whether Mr. Byrnes' proposal could be put as follows. The States interested in the Italian Peace Treaty should first be invited to make their comments in writing; then the Deputies should consider the whole question of who should be heard by the Council itself and by what method. The invitation to States to express their views in writing would be without prejudice to their claim to be heard later.

M. MOLOTOV said that the Soviet Delegation accepted the United States proposals for inviting representations from Yugoslavia, Ethiopia and Greece; and they would add Albania, since Albania also was attacked by Italy. They would find it difficult to discuss the future of Istria and Trieste without having the views of Yugoslavia, who were interested in this aspect of the matter and had asked to appear before the Council. He was also in favour of admitting Greece to the discussions; all must recognise the rights and interests of Greece in this question; but he would find it difficult to do so so long as there was not in Greece a Government which he could regard as representative. When there was such a Government he would favour inviting it to send representatives to the Council. His views on this matter were set out in a memorandum which he was now circulating (C.F.M. (45) 9).⁶⁶ He suggested, therefore, that the Deputies should continue their discussions on the procedure for obtaining the views of the other interested States, and that as soon as the Delegations had studied the

⁶⁶ Dated September 12, entitled "The Situation in Greece", p. 150.

United Kingdom proposals (C.F.M. (45) 3) the Foreign Ministers should begin consideration of the draft Treaty itself.

MR. BEVIN said he must make the position of the United Kingdom Delegation clear. He would raise no objection to the appearance before the Council of representatives of any Government whom any other member of the Council wished to invite. If, however, any Governments were heard, the British Dominions must also be heard; and he could not accept the position that any one Delegation could impose a veto on the appearance before the Council of a particular Government. He supported the proposal that all the United Nations concerned should be asked to submit their views in writing in the first instance, so long as it was clear that this would not prejudice their being heard by the Council at a later stage.

DR. WANG SHIH CHIEH ⁶⁷ said that there seemed to be three categories of States:—

- (a) those attacked by Italy: these might be given an immediate hearing during the present visit of the Foreign Ministers;
- (b) those States which had made a contribution to the defeat of Italy: these might be given a hearing, but how and when might be considered by the Deputies;
- (c) other States interested in the Peace Treaty with Italy: these might submit their views in writing.

If the Deputies were to consider the general question of procedure, he hoped they would consider the possibility of finding a solution on these lines.

MR. BEVIN said that he could not accept such a solution. He must stand by the position he had already outlined.

M. MOLOTOV asked whether it was proposed that all the United Nations, or only those concerned with the Treaty, should be invited to submit their views in writing. MR. BYRNES said that it was his intention that the invitation should be limited to those States which were at war with Italy.

The Council:—

(1) Agreed that members of the United Nations which were at war with Italy should be invited to submit in writing their views on the Peace Treaty with Italy, without prejudice to any claim they might have to make oral representations to the Council at a later stage;

(2) Invited the Deputies to consider at their meeting on the following day how the invitations under (1) above could best be extended;

⁶⁷ The American minutes of this meeting record the speaker as Dr. Wellington Koo.

and what would be the most convenient procedure for arranging which Governments should be invited to make oral representations to the Council at a later stage.

3. PEACE TREATIES WITH BULGARIA, FINLAND, HUNGARY AND ROUMANIA

M. MOLOTOV submitted memoranda by the Soviet Delegation setting out the Soviet Government's suggestions for Peace Treaties with Bulgaria (C.F.M.(45)6), Finland (C.F.M.(45)7), Hungary (C.F.M.(45)4), and Roumania (C.F.M.(45)8).⁶⁸

4. REPATRIATION OF SOVIET CITIZENS

M. MOLOTOV handed in copies of a memorandum on the repatriation of Soviet citizens, which was subsequently circulated as C.F.M.(45)10.⁶⁹

5. AGENDA FOR FUTURE MEETINGS

M. MOLOTOV said that he would not be in a position to discuss on the following day the British draft heads of a Treaty with Italy (C.F.M.(45)3).

MR. BYRNES therefore asked whether the Council would consider that day the United States paper on an Emergency Regime for European Inland Waterways (C.F.M.(45)1). He emphasized that this paper was concerned only with temporary measures to deal with a pressing emergency, and he was content that consideration of United States proposals for more permanent arrangements for inland waterways should be postponed for the time being. It was reported by UNRRA,⁷⁰ and confirmed by United States representatives in the countries concerned, that the transportation of relief to the peoples of Europe was seriously hampered by the conditions of the inland waterways, and measures were therefore urgently necessary to enable relief supplies to work.

After discussion it was agreed that the next meeting of the Council of Foreign Ministers should be held on Friday, 14th September at 11 o'clock to consider the Draft Heads of a Treaty with Italy (C.F.M.(45)3).

⁶⁸ *Post*, pp. 148, 148, 147, and 149, respectively.

⁶⁹ *Post*, p. 151.

⁷⁰ United Nations Relief and Rehabilitation Administration.

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*Memorandum by the United States Delegation to the Council of Foreign Ministers*⁷¹

CFM(45) 1

LONDON, 12 September, 1945.

DRAFT AGREEMENT ESTABLISHING EMERGENCY REGIME FOR EUROPEAN
INLAND WATERWAYS

Preamble

Whereas an emergency exists in Europe requiring an immediate increase in the quantities of food, fuel, raw materials and productive machinery made available for the relief and rehabilitation of the peoples of the United Nations and liberated lands,

And whereas rail and other means of communication are unable to handle the burden of transportation needed,

And whereas the principal international inland waterways of Europe afford a natural means of transportation of supplies between many nations,

And whereas joint efforts will facilitate the early clearance of these waterways and their development to maximum usefulness during the transition period following the war,

Therefore, the Governments of France, the U.S.S.R., the United Kingdom, and the United States of America being governments charged with the responsibility for occupation and control of enemy states in Europe have agreed to the following temporary arrangement.

Article 1. Provisional international commissions shall be established at once for the restoration of navigation on the Rhine River system including the Scheldt River from Antwerp to the sea, the Elbe River including the Vltava from Prague, the Oder River, the Danube River system, and the Kiel Canal, together with their navigable tributaries and connecting canals.

⁷¹ This draft agreement was later revised by the United States delegation and was recirculated as C.F.M.(45) 44, September 22, 1945. The draft agreement as revised included an entirely new article, article 10, which read as follows: "A conference of all interested states shall be convened within three months at Prague to draft conventions for the establishment of permanent regimes for the regulation of the waterways provided for in this agreement." Article 2 of the draft agreement was revised in the following manner: To paragraph (a) was added the following phrase: "and Germany as represented by the Control Council"; to paragraph (b) was added the phrase "and Germany as represented by the Control Council"; to paragraph (c) was added the phrase "and Germany as represented by the Control Council"; to paragraph (d) was added the phrase "including Austria and Germany as represented by the respective Control Councils"; and to paragraph (e) was added the phrase "and Germany as represented by the Control Council". (Council of Foreign Ministers Files : Lot M-88 : CFM London Documents)

Article 2. The provisional commissions shall be composed of the following states:

- (a) The Rhine-Scheldt Commission:—the Four Signatory Powers, together with the riparian states, to wit, the Netherlands, Belgium and Switzerland.
- (b) The Elbe Commission:—the Four Signatory Powers, together with Czechoslovakia.
- (c) The Oder Commission:—the Four Signatory Powers, together with Poland and Czechoslovakia.
- (d) The Danube Commission:—the Four Signatory Powers, together with the riparian states whose governments are recognized by them.
- (e) The Kiel Canal Commission:—the Four Signatory Powers.

Article 3. The Council of Foreign Ministers may admit other states having a substantial traffic on any of the above mentioned waterways to participation in a provisional commission.

Article 4. Each state participating in a provisional commission shall designate one representative to sit on the commission. He may be accompanied by experts and technical assistants. Each representative shall have one vote in each commission in which it participates. Decisions shall be taken by a majority vote of the members present and voting, and shall be binding on the commission. Each commission shall provide for its own organization and rules of procedure.

Article 5. The seats of the various provisional commissions shall be located.

- (a) for the Rhine-Scheldt Commission at Cologne
- (b) for the Elbe Commission at Dresden
- (c) for the Oder Commission at Stettin
- (d) for the Danube Commission at Vienna
- (e) for the Kiel Canal Commission at Kiel

Article 6. Except in so far as may be modified by the terms of the present agreement, the several provisional commissions shall function in accordance with the provisions of the treaties and conventions which were in force for each waterway before November 1936.

Article 7. Each provisional commission established by this agreement shall have the following powers and duties:

(a) Power to supervise and, if necessary, engage in dredging, blasting, and other operations essential to the maintenance of a constantly navigable waterway, and to undertake emergency construction work if the states fail to do so or are unable to do so

(b) Authority to distribute on an equitable basis available shipping tonnage of all kinds taken from the enemy, and to direct the use of this shipping, if necessary, for the relief of emergency conditions in any particular area

(c) The right to issue and enforce navigation and pilotage regulations, uniform service, tolls and other charges, sanitary and police regulations

(d) Power to judge alleged infractions of regulations and to impose fines for violations thereof

(e) Right to hold and use property and vessels of all kinds which shall be immune from local taxation and jurisdiction; to hire all necessary personnel

Article 8. The provisional commissions shall at all times maintain close relations with the Control Commissions in occupied territories. The commissions shall participate in the work of any inland transport organization which may be set up to coordinate the movement of traffic and improve European transport communications.

Article 9. The present agreement shall come into force immediately upon signature by the Four Powers. The agreement shall be open to signature by the other states mentioned in Article 2. Failure on the part of any of these states to sign the agreement shall not, however, prevent it from coming into force. The provisional commissions shall be convened at the earliest possible moment by direction of the Council of Foreign Ministers.

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Memorandum by the United States Delegation to the Council of Foreign Ministers

CFM(45) 2

LONDON, 12 September, 1945.

ITALIAN TREATY PROCEDURE

1. Those United Nations which were attacked by Italy and which are not already represented on the Council, namely Ethiopia, Yugoslavia and Greece, will be invited to discuss orally at the meeting of the Council of Foreign Ministers the aspects of the Italian settlement which particularly concern them. This discussion will begin September 17. In this discussion the Council will be particularly interested to hear the views of the following states on the following subjects—

Ethiopia re Eritrea
Yugoslavia re boundary with Italy
Greece re Italian Islands in the Aegean Sea

Austria will be invited to present her views particularly with reference to the Austria-Italian boundary line. Italy will be invited to present her views particularly on all the above mentioned subjects.

A detailed presentation by these states may be made in writing which may cover all subjects of interest to them.

2. Following general directives given by the Council, the deputies and staffs will draft a complete treaty text.

3. The draft treaty text will be considered by the Council at its next meeting about November 1, 1945, at which time the Council will receive the views of Italy as to the whole, and of other especially interested countries as to parts which particularly concern them.

4. At the conclusion of this discussion a completed draft will be submitted to all the United Nations eligible to become signatories.

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*Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers*⁷²

CFM(45) 3

LONDON, 12 September, 1945.

DRAFT HEADS OF TREATY WITH ITALY

PREAMBLE

[Here insert States at war with Italy and end "hereinafter referred to as the Associated Powers."] ⁷³

of the one part.

and Italy

of the other part;

Whereas Italy under the Fascist Regime became a party to the Tripartite Pact with Germany and Japan, and in 1940 declared a war of aggression and became involved in war with all the Associated Powers; and

Whereas on the 25th July, 1943, in face of the pressure of military events the Fascist Regime in Italy was abolished and Italy surrendered unconditionally and accepted terms of Armistice signed on the 3rd and 29th September; and

⁷² Telegram 9392, Delsec 12, September 13, 1945, 8 p. m., from London, transmitted the text of Part IV (articles 31 through 64) of this draft treaty to the Department of State together with the following message: "For Matthews from Dunn. Following are the Naval, Military and Air clauses and Prisoner of War and War Graves clauses of a memorandum by the UK delegation entitled 'Draft Heads of Treaty with Italy', circulated yesterday. Please obtain for us the War and Navy Departments' comments on these clauses with any of your own observations." (740.00119 Council/9-1345) The comments were forthcoming in telegram 8478, Secdel 123, September 26, 1945, 3 p. m., to London, which concluded with the following general observation: "Insofar as we are concerned, it is considered that British draft clauses are unnecessarily harsh, both as to substance and form, and would result in Ital resentment which in turn could be used to alienate Ital opinion. Harshness of clauses would lead to continual agitation for relaxation and might well encourage resorts to subterfuge to build up armaments secretly. Also, Allied Inspectorate, which British apparently contemplate to be long-term supervisory body providing more rigid control than United Nations Organization, would give opportunity for constant interference and intervention in Ital internal affairs on part of certain powers whose interests might not favor efficient Ital armed forces for internal security or legitimate defense." (740.00119 Council/9-2645)

⁷³ Brackets appear in the original.

Whereas after the said Armistice Italy furnished armed forces which participated in the war against Germany and declared war on Germany as from the 13th October, and thereby became a co-belligerent against Germany; and

Whereas the Associated Powers and Italy are now both desirous of concluding a Treaty of Peace, which will settle questions still outstanding between them as a result of the events hereinbefore recited, and form the basis of cordial relations of amity between them;

Have accordingly appointed as Plenipotentiaries for this purpose:—

PART I—INTERNATIONAL RELATIONS

1. Italy's candidature for membership of the World Organisation to be supported by the Associated Powers. Italy to co-operate with the Associated Powers and to recognise and accept the arrangements made by them for the restoration of general peace.

2. Italy to agree to the arrangements agreed by the United Nations for the liquidation of the League of Nations and the P.C.I.J.⁷⁴

3. (a) The Associated Powers, as soon as they are satisfied of Italy's willingness and ability to carry out the obligations involved, will support Italy's application to become a member of any organisation established or whose establishment is already contemplated by the United Nations or to adhere to any convention concluded under the auspices of any such organisation.

(b) In the meantime, Italy to carry out such obligations in connection with any such organisation or convention as may at any time be specified by the Associated Powers members of the organisation or parties to the convention concerned.

PART II—POLITICAL (EUROPE)

Section I—General

4. Italy to recognise as null and void all territorial acquisitions made by Italy since the 9th June, 1940, and all titles, rights, properties and interests acquired in such territory since that date by the Italian State or Italian subjects.

Section II—Trieste and Venezia Giulia

5. Trieste to remain Italian with arrangements for port facilities and free communication with Central Europe.

6. The territory between the 1914 Austro-Italian frontier and the 1939 Italo-Yugoslav frontier to be divided between Italy and Yugoslavia.

Section III—Zara and the Dalmatian Islands

7. Italy to renounce in favour of Yugoslavia all rights and title in and over the enclave of Zara and the Dalmatian Islands.

⁷⁴ Permanent Court of International Justice.

8. The inhabitants to become Yugoslav with the right to opt for Italian nationality. Those so opting may be required to transfer their abode to Italy.

Section IV—Albania

9. Italy to recognise Albania, as a free and independent State, and to relinquish all political rights and titles however and whenever acquired.

10. Italy to recognise the island of Saseno as belonging to Albania.

11. All treaties concluded between the Italian Government and the so-called Albanian Government since April, 1938 to be declared null and void.

Section V—Pantellaria and the Pelagian Islands

12. These islands to be permanently demilitarized.

Section VI—The Dodecanese

13. Italy to renounce in favour of Greece all rights and titles over these islands with the exception of Castelrosso.

14. The inhabitants to become Greek with the right to opt for Italian nationality. Those so opting may be required to leave the islands.

15. Italy to renounce in favour of Turkey the island of Castelrosso.

16. The arrangements under which the Allied Military authorities will have over these islands to the successor states to be determined between the Governments concerned.

PART III—POLITICAL (AFRICA, ASIA, ETC.)

Section I—Ethiopia

17. Italy to recognise Ethiopia as a free and independent State and the Emperor Haile Selassie as its lawful ruler.

18. Italy to renounce all political rights and title in Ethiopia whenever acquired.

19. Italy to restore to the Emperor all Ethiopian works of art and religious objects removed from Ethiopia to Italy.

20. Italy to recognise the validity of all action taken in Ethiopia by the British military authorities and the Ethiopian Government since April, 1941 in respect of Italian persons, property and Italian-granted concessions.

Section II—Italian Colonies

21. Italy to renounce all her possessions in Africa.

22. Italy to accept the arrangements made for the disposal of these territories including questions of nationality.

23. Persons of Italian race resident in these territories may be required to return to Italy.

24. Italy to recognise the arrangements made by the Four Powers for the administration of these territories pending their final disposal.

25. The arrangements under which the Allied Military authorities will hand over these territories to the successor states or administration will be determined between the Governments concerned.

Section III—Tangier

26. Italy to recognise and accept such future arrangements as may be laid down in any revision of the Tangier Convention accepted by the other parties thereto.

Section IV—Former Turkish Territories and the Red Sea

27. Italy to renounce any rights and interests she may possess by virtue of Article 16 of the Treaty of Lausanne signed on the 24th July, 1923.⁷⁵

Section V—China

28. The Italian Government to renounce—

(a) all those provisions of treaties and agreements which authorise the King of Italy or his representative to exercise jurisdiction over Italian nationals or companies in China;

(b) all rights arising out of the Final Protocol of 1901⁷⁶ and agreements supplementary thereto;

(c) all rights in relation to the International Settlements and Shanghai and Amoy;

(d) all rights in relation to the Italian Concession at Tientsin.

The Italian Government to co-operate with the Chinese Government in reaching any necessary agreements with the other Governments concerned for the transfer to the Chinese Government of the administration and control of the Diplomatic Quarters at Peiking (Peiping) and the International Settlements at Shanghai and Amoy.

Section VI—Congo Basin Treaties

29. Italy to renounce all rights, titles and claims arising from these treaties.

Section VII—Mandates

30. Italy to renounce all rights, titles and claims deriving from the mandate system, including all undertakings given therewith, and all other rights, titles or claims in respect of any mandated territory or any properties therein.

⁷⁵ For text of the treaty, see League of Nations Treaty Series, vol. xxviii, p. 11; or British Cmd. 1929, Treaty Series No. 16 (1923). For documentation regarding the American participation in the Lausanne Conference on Near Eastern Affairs, see *Foreign Relations*, 1923, vol. II, pp. 879 ff.

⁷⁶ For text of the "Boxer Protocol", or final protocol, signed at Peking, September 7, 1901, see *Foreign Relations*, 1901, Appendix, Affairs in China, p. 312.

PART IV: NAVAL, MILITARY AND AIR CLAUSES

Section I: Limitations to be imposed on the Italian Armed Forces

31. Prohibition on naval, military and air force installations in Sicily and Sardinia, except for such facilities as may be required by the World Organisation, or for internal security purposes.

32. No construction or experiments for long range weapons, guided missiles or similar installations, or for sea-mines, torpedoes, submarines or other submersible craft and specialised types of assault craft to be undertaken.

33. All equipment of German or Japanese origin or design to be prohibited.

34. The Italian Armed Forces will be subject to the short-term limitations set out in Section II to V below, until the Security Council has decided otherwise.

Section II: Limitations to be imposed on the Italian Navy

35. The Italian Navy to be limited to a fleet of:—

- 2—Old battleships
- 3—6'' cruisers
- 2—Fleet destroyers
- 20—Torpedo boats
- 20—Corvettes

Such number of small surface craft as can be manned and maintained in full commission within the limits of a manpower allocation of 3,000 officers and men.

36. Personnel to be limited to approximately 18,000 on voluntary long-term engagements. The Allied Inspectorate to be given discretion to vary this figure within small limits. Compulsory naval service to be forbidden.

37. The Italian Navy in excess of that permitted under paragraph 35 above, to be disposed of by the Principal Allied Powers. No aircraft carriers to be retained or constructed.

38. Replacements of the ships enumerated in paragraph 35 above to be limited as follows:—

- (a) No replacement battleship to be laid down.
- (b) No restriction on replacement of other types of ships, provided that any ship being replaced is always scrapped before its successor is launched.

39. Personnel other than those forming part of the Italian Navy, not to receive any form of naval training.

40. Such naval fortifications and installations as the Allied Inspectorate may direct, to be destroyed. No new naval fortifications or installations to be constructed, and no new armaments or other

defences to be added to existing fortifications or installations without permission of the Allied Inspectorate.

Section III: Limitations to be imposed on the Italian Army

41. The Italian Army to be limited to a force of:—

200,000 Troops
65,000 Carabinieri

42. The Italian Army, in excess of that permitted under paragraph 41 above to be disbanded as the Allied Inspectorate shall direct.

43. Personnel other than those forming part of the Italian Army and Carabinieri not to receive any form of military training.

44. Such fortifications and military installations as the Allied Inspectorate may direct to be destroyed. No new fortifications or military installations to be constructed and no new armaments or other defences to be added to existing fortifications or military installations without permission of the Allied Inspectorate.

45. All long-range weapons of a range over 20 miles, and similar installations to be destroyed.

Section IV: Limitations to be imposed on the Italian Air Force

46. The Italian Air Force to be limited to:—

- (a) 6 Squadrons of S.E. fighter aircraft. (96 aircraft)
- (b) 2 Squadrons of transport aircraft for internal transport purposes. (40 aircraft)
- (c) 1 Air-sea rescue squadron. (10 aircraft)
- (d) A training school of such capacity as the Allied Inspectorate considers necessary, together with sufficient training aircraft to maintain the above squadrons.

Each squadron to be permitted a reserve of aircraft which will not exceed 20% of the types in the squadron.

47. Personnel to be limited to approximately 12,000 on voluntary long term engagements. The Allied Inspectorate to be given discretion to vary this figure within small limits. Compulsory air force service to be forbidden.

48. The Italian Air Force, in excess of that permitted under paragraphs 46 and 47 above to be disbanded as the Allied Inspectorate shall direct.

49. Personnel other than those forming part of the Italian Air Force not to receive any form of military air training.

50. Specifications of military aircraft owned by or manufactured in Italy during this period to be submitted to the Allied Inspectorate for approval.

51. Such military airfields and air installations as the Allied Inspectorate may direct to be destroyed. No new military airfields or

air installations to be constructed without the permission of the Allied Inspectorate.

Section V: Limitations on War Material

52. The following limitations to be imposed—

(a) Italy not to manufacture or own either publicly or privately any war material, including warships and military aircraft in excess of that required for the forces permitted under paragraphs 35, 41 and 46 above.

(b) The Allied Inspectorate to determine which industrial plant specifically designed for the manufacture of munitions and other capacity created for warlike purposes is in excess of that required for the production of war material permitted under sub-paragraph (a) above.

(c) The Allied Inspectorate to exercise control over the manufacture, import, export and transit of war material in Italy.

(d) Italy to co-operate fully with the Associated Powers with a view to ensuring that Germany is unable to take steps outside German territory towards rearmament.

Section VI: Disposal of War Material

53. All German or Japanese war material, including blue prints, prototypes, experimental models and plans, unless expressly excluded by the Allied Inspectorate, to be placed at the disposal of the Principal Allied Powers.

54. All Italian or Allied war material, including warships and aircraft, in use by the Italian armed forces, in excess of that permitted for the armed forces specified under paragraphs 36, 41 and 47 above, to be disposed of to the Principal Allied Powers, and Italy to renounce all rights to same.

Section VII: Prohibition on employment or training of technicians

55. Italy not to employ or train any technicians (including military or civil aviation personnel) who are or have been nationals of Germany or Japan, or any other personnel specified by the Allied Inspectorate.

Section VIII: Setting up of an Allied Inspectorate in Italy

56. An Allied Inspectorate to be set up in Italy, and to remain in being for so long as the Principal Allied Powers shall decide.

57. The task of the Allied Inspectorate shall include the supervision of the carrying out of the naval, military, air and civil aviation clauses of the Peace Treaty.

58. The Allied Inspectorate to be afforded full freedom of movement and all necessary facilities including the granting of diplomatic immunity. The Italian Government to provide such Italian currency as is required by the Allied Inspectorate.

Section IX: Provision of forces or facilities required by World Organisation

59. After she has been admitted into the World Organisation, Italy to provide any forces required by the World Organisation, for the maintenance of international peace and security.

60. Italy to make available such bases or other facilities in Italian territory as may be required by the World Organisation, whether Italy is admitted to membership of World Organisation or not.

PART V: PRISONERS OF WAR AND WAR GRAVES

Section I: Prisoners of War

61. Italian prisoners of war to be repatriated as soon as transport permits, subject to any arrangements which may be mutually agreed between the individual Associated Powers detaining them and the Italian Government.

62. Cost of repatriation to be borne by Italy.

63. Mutual waiver of claims in respect of prisoners of war.

Section II: War Graves

64. Reaffirmation of existing agreements with any desired additions to cover the present war.

PART VI: WAR CRIMINALS

65. Italy to assist by all means in her power the apprehension and surrender of persons whose surrender is requested by the appropriate Allied authorities on a charge of being concerned in any war crime.

66. The same to apply in the case of any United Nations national alleged to have committed an offence against his national law by way of treason or collaborating with the enemy.

67. Italy to supply any information and documents and to secure the attendance of any witnesses required for the trial of such persons.

68. Italy to assist in giving effect to decisions reached by the appropriate Allied authorities in regard to the property of such persons.

PART VII: CLAIMS ARISING OUT OF THE WAR

Section I: Reparation

69. Liability of Italy to pay reparation, but her inability to do so beyond a limited extent recognised.

70. Italy to deliver to the Associated Powers industrial plant specifically designed for the manufacture of munitions and other capacity created for warlike purposes which is in excess of Italy's peacetime needs.

71. Italy to furnish free of charge such Italian supplies and services as the major powers during the military period, or U.N.R.R.A.,

thereafter have provided or may provide as relief to any of the Associated Powers.

72. Italy to furnish compensation to United Nations civilian nationals resident in Italy who have suffered personal injuries in Italy as war damage on a basis not less favourable than that accorded to Italian nationals.

Section II: Restitution of loot

73. Italy to restore identifiable looted property; conditions and definition to be as in the case of Germany.

74. Claims to be put forward by the Governments of the Associated Powers and established by a Mixed Tribunal, whose decisions Italy shall implement.

PART VIII: PROPERTY AND DEBTS

Section I: United Nations property in Italy

75. Italy to restore property of the Governments and nationals of the United Nations in Italy to its owners, in its condition at the outbreak of war.

76. Where such restoration is impossible, compensation to be paid in lire.

77. Claims to be established by a Mixed Tribunal, whose decisions Italy shall implement.

Section II: Post-Armistice Transactions

78. Italy accepts as a debt payable by her the value of the supplies delivered for civilian consumption since September 1943 by any of the Associated Powers.

Section III: Italian property in the territory of the United Nations

79. Each of the Associated Powers to have the right, should they wish to do so, to retain and liquidate Italian property in their territory and debts due to Italy from residents in their territory and to use them to pay off pre-war Italian indebtedness to them.

80. After such set-off, any balance in Italy's favour may be either returned or used to pay off other claims against Italy, as may be agreed between Italy and the Power concerned; any balance of indebtedness by Italy shall be kept alive.

81. Italy to compensate the owners of property so liquidated.

Section IV: Ceded and liberated territories

82. The successor Government should—

(a) receive without payment Italian state and para-statal property in the territory concerned;

(b) be responsible for the note issue in the territory;

(c) make no contribution towards the general service of the Italian public debt, but, except in the case of ceded colonies should take over responsibility for servicing holdings in the territory of the public debt.

83. Property rights of Italian nationals in the territories concerned should be respected, provided that they have been properly acquired. If the Italian nationals leave the territory, they should be allowed, on the same condition, to take movable property with them or transfer the proceeds of sale to the extent permitted by local exchange control.

84. Companies incorporated under Italian law (other than parastatal companies) should be allowed to remain Italian and transfer their seat of control to Italian territory; their property to be dealt with as under paragraph 83.

85. In the case of ships, beneficial ownership and not the port of registration shall be the governing factor in deciding their locus.

86. Arrangements to be made for the transfer of liabilities and corresponding reserves of social insurance schemes.

87. The successor Government to restore any United Nations property still under sequestration. When this is impossible, compensation to be paid by the Italian Government as under paragraph 76.

Section V: Claims by and on Germany

88. Italy to have the same treatment as United Nations as regards—

- (a) restitution of identifiable property;
- (b) restoration of property in Germany;
- (c) retention of German assets which existed in her territory before the outbreak of war.

89. Any gold which may be restored to Italy under paragraph 88 (a) above to be used by her towards the payment of her debt to those of the Associated Powers which have furnished relief to her since the liberation.

90. Italy to renounce all claims against Germany arising during the war other than those mentioned in paragraph 88, including all debts from Germany incurred during the war.

PART IX: ECONOMIC CLAUSES

Section I: Commercial relations

91. Italy to undertake unilaterally for five years—

(a) to grant to the United Nations national or m.f.n. treatment (whichever is normally stipulated in modern commercial treaties) in relation to commerce, industry, shipping (except that for coastal shipping there should be a basis of reciprocity), the rights of persons and companies, etc.;

(b) as regards the import and export of goods, to grant m.f.n. treatment in relation to duties only; in other respects to indulge in no arbitrary discrimination against products of the territories of the United Nations;

(c) to grant equitable treatment in cases of expropriation of United Nations property with compensation on a basis not less favourable than that accorded to Italian nationals.

Section II: Industrial property

92. Italy to undertake, as regards industrial property and unfair trade competition—

(a) to observe towards the United Nations such codes and standards of practice as are recognized to be proper in modern international treaties;

(b) to apply the international conventions on these subjects to which she was a party before the war (with a reciprocal obligation on the part of the other parties);

(c) to adhere to the most recent revisions of these instruments.

Section III: Contracts, prescriptions and judgments

93. Subject to exceptions in some cases, and to special treatment of contracts of insurance and reinsurance, contracts which required continuous intercourse with the enemy for their performance to be deemed to be dissolved, as from the outbreak of war.

94. Italy to suspend, as between residents in Italy and residents in the territories of the Associated Powers, all periods of prescription or limitation of right of action in Italy for the duration of the war and for a limited period thereafter.

95. Italy to make fair compensation for damage suffered by United Nations nationals as a result of improper judgments in Italian courts after the outbreak of war.

96. The Associated Powers to be entitled to examine all decisions of Italian prize courts; Italy to accept and give effect to their recommendations after such examination.

Section IV: Transport and shipping

97. Italy to observe the provisions of the various international conventions on rights of transit, etc., to which she was a party before the war.

98. Italy to provide for one year free of expense to the Associated Powers such ships as are needed for specific military purposes (e.g., troopships and hospital ships for bringing troops back from theatres of operations).

PART X: MERCANTILE MARINE AND SHIPBUILDING CLAUSES

99. No restriction to be placed on the Italian Mercantile Marine or Shipbuilding, excepting that:—

(a) Italian shipbuilding and the operation of the Italian Mercantile Marine shall not [be] subsidized in any form.

(b) Such ships and material as are constructed shall not embody German or Japanese components.

(c) Until the short-term limitations have been lifted, all specifications for Italian merchant ships shall be subject to approval by the Allied Inspectorate.

PART XI: CIVIL AVIATION

100. No restriction to be placed on Italian civil aviation inside Italian territory. Italy not to participate in civil aviation outside Italian territory until she is admitted to membership of the Provisional International Civil Aviation Organisation.

101. No restriction to be placed on the use or manufacture of civil aircraft by Italy, except—

(a) Italy not to use or manufacture civil aircraft of German or Japanese design or embodying any German or Japanese components.

(b) Until Italy has been admitted into the World Organisation, all specifications for Italian civil aircraft to be subject to approval by the Allied Inspectorate.

PART XII: RENUNCIATION OF CLAIMS

102. (a) Italy to recognise the validity of all acts carried out by the Associated Powers on Italian metropolitan and colonial territories up to the date of the coming into force of the present Treaty and to renounce all claims in respect thereof;

(b) This provision applies to the issue in Italian territory of Allied Military currency, the responsibility for which will be assumed by Italy.

103. Italy to renounce all claims in respect of—

(a) all acts and omissions by the United Nations in regard to Italian property in preparation for or since the outbreak of war, or in accordance with their exceptional war measures;

(b) the decrees and orders of United Nations prize courts, whether or not the proceedings have been interrupted;

(c) the exercise or purported exercise of belligerent rights;

(d) compensation or restitution in respect of submarine cables diverted during, or in preparation for, the war;

(e) generally, Italy to renounce all pecuniary claims based on events which occurred before the coming into force of the Treaty.

PART XIII: MISCELLANEOUS

Section I: Revival, Modification and Abrogation of Treaties, Conventions, etc.

104. Bilateral Treaties:

Each Associated Power to notify Italy of the bilateral treaties it desires to keep in force. Any note so notified to be deemed to have been abrogated.

105. Multilateral Treaties:

(a) List of treaties to be abrogated so far as Italy is concerned.

(b) List of treaties in regard to which Italy must accept any modifications or changes subsequently agreed between the Associated Powers.

Section II: General

106. Italy not to introduce laws which discriminate on grounds of race, colour, creed or political opinion.

107. Italy not to prosecute or molest any person on account of his feelings or sympathies with the United Nations, including the performance of any action calculated to facilitate the execution of the Armistice or present Treaty.

108. Italy to receive back any Italian nationals and to accept responsibility for their reception and maintenance. Italy to recognise as possessing Italian nationality any person who before the 9th June, 1940, possessed Italian nationality unless that person is recognised by some other state as having acquired its nationality.

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

CFM(45) 4

LONDON, 12 September, 1945.

PROPOSALS FOR A PEACE TREATY FOR HUNGARY

1. The Soviet Delegation considers it desirable to take as a basis for the future treaty of peace with Hungary the existing Armistice Agreement signed on 20th January, 1945, between the U.S.S.R., the U.K. and the U.S.A., on the one hand, and Hungary on the other.⁷⁷ The Soviet Delegation think that Articles 1(d), 2, 4, 5, 6, 7, 12, 13, 14, 15 and 19 of the above-mentioned Armistice Agreement and the Annex to Article 12 could, with the necessary drafting changes and additions, be incorporated in the peace treaty as its basic articles.

2. Article 19 of the Armistice Agreement dealing with the frontiers of Hungary should be amplified to indicate that the whole of Transylvania will be restored to Rumania.

3. Article 8 of the Armistice should be deleted and replaced by an article under which Hungary undertakes to hand over to the Soviet Union, in conformity with paragraphs 1 and 9 of the decisions of the Berlin Conference on reparations from Germany,⁷⁸ the German assets located in Hungary.

⁷⁷ For text of the Allied Armistice with Hungary (with Protocol), signed at Moscow on January 20, 1945, see Executive Agreement Series No. 456; or 59 Stat. (pt. 2) 1321. For documentation regarding the negotiation by the Allies of the Hungarian armistice, see *Foreign Relations*, 1944, vol. III, pp. 847 ff.

⁷⁸ For the decisions of the Berlin Conference on reparations from Germany, see *Conference of Berlin (Potsdam)*, vol. II, pp. 1485-1487.

4. The Allied Powers will support the candidature of Hungary for membership of the United Nations Organisation. Hungary shall co-operate with the Allied Powers and shall give effect to such measures as they may adopt for the maintenance of world peace.

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

CFM(45) 6

LONDON, 12 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH BULGARIA

1. The Soviet Delegation consider that the Peace Treaty with Bulgaria should be based on the Armistice Agreement concluded with Bulgaria on 28th October, 1944.⁷⁹ Articles 4, 5, 6, 7, 9, 10 and 11 of the Agreement should be included in the Peace Treaty with the relevant drafting amendments.

2. Article 13 of the Armistice Agreement should be deleted and replaced by an article under which Bulgaria undertakes to hand over to the Soviet Union in conformity with paragraphs 1 and 9 of the decisions of the Berlin Conference on reparations from Germany, the German assets located in Bulgaria.

3. The amount of reparations due from Bulgaria to Yugoslavia and Greece will have to be determined.

4. The Allied Powers will support Bulgaria's candidature for membership of the United Nations' Organization. Bulgaria will co-operate with the Allied Powers and execute such measures as they may adopt for the maintenance of world peace.

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

CFM(45) 7

LONDON, 12 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH FINLAND

1. Inasmuch as the Armistice Agreement with Finland of 19th September, 1944⁸⁰ provided for the inclusion in that Agreement of

⁷⁹ For text of the Allied Armistice with Bulgaria (with Protocol), signed at Moscow on October 28, 1944, see Executive Agreement Series No. 437; or 58 Stat. (pt. 2) 1948. For documentation on the negotiations leading to the armistice, see *Foreign Relations*, 1944, vol. III, pp. 300 ff.

⁸⁰ For text of the armistice agreement between the United Kingdom, the Soviet Union, and Finland of September 19, 1944, see *British and Foreign State Papers*, vol. CXLV, p. 513. For documentation regarding the interest of the United States in the armistice, see *Foreign Relations*, 1944, vol. III, pp. 608 ff.

certain clauses of the future peace treaty, the Soviet Delegation propose that Articles 6, 7, 8, 9, 10, 11, 12, 13, 14, 20, 21 of the Armistice Agreement and the Annexes to Articles 7, 8 and 11 of the said Agreement should, subject to the necessary drafting changes, form the basis of the future peace treaty with Finland.

2. Article 16 of the Armistice Agreement should be deleted and replaced by an article under which Finland undertakes to hand over to the Soviet Union, in conformity with paragraphs 1 and 9 of the decisions of the Berlin Conference on reparations from Germany, the German assets located in Finland.

3. The Allied Powers will support Finland's candidature for membership of the United Nations' Organization. Finland will cooperate with the Allied Powers and execute such measures as they may adopt for the maintenance of world peace.

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

CFM(45) 8

LONDON, 12 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH RUMANIA

1. The Soviet Delegation propose that Articles 1, 4, 5, 6, 9, 11, 12, 13, 14, 15 of the Armistice Agreement concluded on 12th September, 1944 between the Governments of the Union of Soviet Socialist Republics, the United States of America and the United Kingdom, on the one hand, and the Government of Rumania on the other,⁸¹ the Annex to Article 11, and Article 3 of the Protocol attached to the said Agreement should, subject to the necessary drafting changes, be taken as a basis for the future peace treaty with Rumania.

2. Article 8 of the Armistice Agreement should be replaced in the peace treaty by an article under which Rumania undertakes to hand over to the Soviet Union, in conformity with paragraphs 1 and 9 of the decisions of the Berlin Conference on reparations from Germany, the German assets located in Rumania.

3. In connection with Article 19 of the Armistice Agreement and, in view of the assistance rendered by Rumania to the cause of the Allies in the war against Germany, an article should be included in

⁸¹ For text of the Allied Armistice with Rumania, signed at Moscow, September 12, 1944, see Executive Agreement Series No. 490; or 59 Stat. (pt. 2) 1712. For documentation regarding the negotiations leading to the armistice, see *Foreign Relations*, 1944, vol. iv, pp. 133 ff.

the peace treaty providing for the transfer to Rumania of the whole of Transylvania.

4. The Allied Powers will support the candidature of Rumania for membership in the United Nations' Organization. Rumania will co-operate with the Allied Powers and execute such measures as they may adopt for the maintenance of world peace.

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 9

LONDON, 12 September, 1945.

THE SITUATION IN GREECE

Reports received from Greece show that the internal political situation in that country continues to remain extremely tense and fraught with grave consequences both for the Greek people and for the peace and security of the countries which are Greece's neighbours.

Under the conditions at present prevailing in Greece free democratic elections are impossible. As regards the proposed despatch to Greece of observers of the Allied Powers to supervise the course of the forthcoming elections, obviously, under present conditions in Greece, the observers will not be able to ensure free expression of the popular will at the elections but will merely serve to obscure the abnormal situation created by the present Greek Government's violation of the Varkisa Agreement of 12th February, 1945, concluded between the Greek Government and representatives of democratic trends of opinion in Greece.⁸²

The Soviet Government accordingly consider themselves compelled to declare that they cannot accept any moral responsibility whatsoever for the political situation that has arisen in Greece. In the opinion of the Soviet Government this situation can be met by the immediate adoption of such measures with regard to the composition of the Greek Government as will assure the fulfilment of the Agreement concluded at Varkisa between the representatives of the then Greek Government and representatives of Greek democracy.

⁸² For text of the Agreement between the Greek Government and the Greek National Liberation Front, signed at Varkisa, February 12, 1945, see vol. VIII, section under Greece entitled "Decision by the United States to participate, with other Yalta Powers and France, in the supervision of elections in Greece . . ."

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 11

LONDON, 12 September, 1945.

PROCEDURE FOR PREPARATION OF A PEACE TREATY WITH ITALY

UNITED STATES DELEGATION'S DRAFT (C.F.M. (45) 2) AS AMENDED BY THE
SOVIET DELEGATION

1. The Governments of all countries formerly at war with Italy will be asked to give in writing their views on the Peace Treaty with Italy.

2. Those United Nations and other countries which were attacked by Italy and which are not represented on the Council, namely Yugoslavia, Greece, Albania and Ethiopia, will be invited to a meeting of the Council of Foreign Ministers for the purpose of an oral discussion of those aspects of the Italian problem which particularly affects them. Greece will be represented as soon as possible after a democratic Government has been formed in Greece. This discussion will begin on 15th September, 1945.

Austria will be invited to express her views, particularly in connection with the Austro-Italian frontier. Italy will be invited to express her views.

Detailed representations by these States can be made in writing and may cover all questions of interest to them.

3. After receiving general directives from the Council, the Deputies and members of Delegations will draw up a full text of the Treaty.

4. The draft text of the Treaty will be examined by the Council at its next session.

5. After this discussion a full draft will be submitted for consideration to all the members of the United Nations entitled to sign the Treaty.

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Memorandum by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 10

LONDON, 13 September, 1945.

ACCELERATION OF THE REPATRIATION OF SOVIET NATIONALS

The Soviet Government deem it necessary to point out that the Repatriation Agreements concluded between the Government of the Soviet Union and the Governments of the United Kingdom, the United States of America and the Provisional Government of the French Republic have played a positive role in the matter of repatri-

ation.⁸⁴ The Soviet Government feel bound also to mention the great help and assistance received from the Allied Military Authorities in repatriating to the Soviet Union a large number of former Soviet prisoners of war and persons forcibly deported by the Germans from the Soviet Union. At the same time the Soviet Government cannot but point out that, according to reports from the Soviet repatriation authorities, cases are occurring of breaches of these Agreements which are giving rise to numerous complaints from Soviet nationals due for repatriation (see Annex). The Soviet Government consider they should once more draw the attention of the Governments of the United Kingdom and United States of America and also of the Provisional Government of France to this situation and to the need for urgent action to accelerate the repatriation of Soviet nationals.

Furthermore, the Soviet Government consider it necessary to draw attention to the following. There are under the control of the British and American authorities a considerable number of Soviet nationals from the Latvian, Lithuanian and Estonian Soviet Socialist Republics and also from the Western provinces of the Ukraine and Byelorussia. The repatriation of these Soviet nationals has been hampered by a number of difficulties, primarily by the obstacles encountered by the Soviet repatriation delegates in visiting these camps.

The Soviet Government would point out that the persons kept in these camps are Soviet nationals to whom the Anglo-Soviet and American-Soviet Repatriation Agreements of 11th February are fully applicable. Quite apart from this, however, the Soviet Government insist on the right of Soviet repatriation delegates to be given unhindered access to these camps in order to clear up with the above-mentioned persons the various points connected with their repatriation.

In order to put an end to the breaches which have occurred in the execution of the Repatriation Agreements and to accelerate the repatriation of Soviet nationals, the Soviet Government suggest the adoption of the following resolution:—

“Having considered the question raised by the Soviet Government of accelerating the repatriation of Soviet nationals, the Council of Foreign Ministers agree that:—

1. Delay in supplying Soviet repatriation delegates with information about camps in which Soviet nationals are held should be avoided.

⁸⁴ On February 11, 1945, at Yalta, representatives of the United States and the Soviet Union concluded an Agreement Relating to Prisoners of War and Civilians Liberated by Forces Operating Under Soviet Command and Forces Operating Under United States Command; for text, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, p. 985. Similar agreements were concluded between the United Kingdom and the Soviet Union on February 11, 1945, and between France and the Soviet Union on June 29, 1945. For additional documentation regarding the treatment and reciprocal repatriation of American and Soviet prisoners of war and interned civilians liberated by Allied forces, see vol. v, pp. 1067 ff.

2. Soviet repatriation delegates should be afforded unimpeded access to the above camps.

3. Soviet nationals should not be kept together with German prisoners of war or under guard of German officers and soldiers.

4. The anti-Soviet activities conducted in certain camps by White émigrés and other persons who have collaborated with the Nazis during the war should be stopped. In particular no toleration should be given to the activities in some camps or groups of Fascists aimed at forcing Soviet nationals to refuse to return home by intimidation and threats of the punishments alleged to be awaiting them on their return to the Soviet Union."

[Annex]

ANNEX TO THE MEMORANDUM ON ACCELERATION OF THE REPATRIATION
OF SOVIET NATIONALS

Zones Controlled by the British Authorities

1. There are some 20,000 Soviet nationals in the territory situated in the area of the British Eighth Corps in Germany in the western restricted zone on the Eiderstadt Peninsula, and some 10,000 Soviet nationals in the eastern restricted zone on the same peninsula north of Neustadt. These Soviet nationals are regarded as prisoners of war and guard duties in these camps are carried out by Germans. Soviet repatriation delegates are not allowed into the camps where these people are kept. Living conditions in the camps are very harsh. There have been cases of armed attacks by Germans on Soviet nationals and anti-Soviet propaganda is carried on.

In a Note of 22nd August, 1945, the People's Commissariat for Foreign Affairs of the U.S.S.R. made representations to the British Embassy on this subject.

2. In Italy, in the territory under the control of the British Eighth Army, anti-Soviet activities are also being carried on at points where Soviet nationals are concentrated. Numerous examples of such activities were given in the Notes of the Soviet Ambassador in London, dated 3rd and 7th July and 31st August, 1945. Several illegalities committed against nationals of the U.S.S.R. in the territory under the control of the British Eighth Army were mentioned but so far the Soviet Government have received no reply on the merits of the representations thus made.

Zones Under the Control of the U.S.A. Authorities

1. For a long time the American authorities failed to inform the Soviet repatriation delegates of the existence in Germany and Austria, in the zones controlled by the American authorities (in Landau, Munich, Nuremberg, Salzburg and other towns) of 36 camps containing over 48,000 Soviet nationals—Lithuanians, Latvians, Estonians,

Ukrainians and Byelorussians, who are being subjected to propaganda conducted by various groups hostile to the Soviet Union and aimed at inducing them to refuse to return home. Up to the middle of August, 1945, Soviet representatives had no access to these camps.

2. For a long time the American authorities in the United States of America failed to inform the Soviet repatriation delegates of the existence of a camp for Soviet nationals at Fort Dix. Soviet representatives only learned of the existence of this camp in connection with an incident which occurred there, in the course of which the camp guards used tear-gas and fire-arms against Soviet nationals with the result that several of the latter were wounded. Despite repeated approaches on this matter made by the U.S.S.R. Embassy in Washington to the State Department, Soviet representatives were not allowed to join in investigating the circumstances of this incident.

3. It has recently been learnt that in Mond See near Salzburg, in the American-occupied zone of Austria, there is a so-called "Committee of Non-Return", the purpose of which is to prevent Soviet nationals from returning home. This "Committee" furnishes Soviet nationals with "Stateless" documents issued in the office of the Burgo-master. These documents are stamped by the American Commandant.

Zones Under the Control of the French Authorities

1. On 20th August, Major-General Vikhorev, Soviet repatriation delegate, in conjunction with the Military Attachés in Switzerland of the United Kingdom, the U.S.A. and France, discovered the existence of a camp of Soviet nationals in the area of the First French Army near Felke on the border of the Principality of Liechtenstein. The French authorities had not informed the Soviet repatriation delegates of the existence of this camp, and, further, Lieut.-Colonel Fichelier, the officer in charge of camps in this zone, refused General Vikhorev's request for admission to the above-mentioned camp on the grounds that he had no instructions from Paris.

2. In the First French Army area in Germany, individuals and groups of White émigrés hostile to the Soviet Union are engaging in activities designed to prevent the return home of Soviet nationals. The local French authorities are doing nothing to stop these activities.

3. In spite of repeated protests from the Soviet repatriation delegates, the French military authorities continue to retain Soviet nationals in the service of the French Legion. Thus, the Soviet representatives removed 19 Soviet nationals from the 13th Brigade de Legionnaires stationed at Meaux (44 kilometres east of Paris). Their evidence shows that in this Brigade there are over one hundred Soviet nationals registered as Poles, Czechs, Yugoslavs, etc. In Bordeaux in another French Legion unit there are from 15 to 20 Soviet nationals. On 23rd May, 1945 a Soviet national, Ivan Snigir, having

no desire to serve in the Legion unit which was quartered in Fort St. Nicholas, Marseilles, attempted to escape but was caught and beaten up by a Legion guard. When a Soviet officer, Major Shakhov arrived at the Legion barracks to examine Ivan Snigir and draw up an affidavit, he was refused these facilities by the officer commanding, Captain de Lacourienne and the Legion medical officer.

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Report by the Deputies to the Council of Foreign Ministers

C.F.M.(45) 12

LONDON, 13 September, 1945.

COMPOSITION AND FUNCTIONS OF JOINT SECRETARIAT

The Deputies submit the following recommendations regarding the composition and functions of a Joint Secretariat to serve the Council during the period of the present visit of Foreign Ministers:

(1) A Joint Secretariat shall be established consisting of the Secretaries of the five Delegations. The Joint Secretariat shall include the necessary number of officials drawn from the five Delegations, the numbers required being established by agreement between the Secretaries of Delegations.

(2) The Secretary General of the Joint Secretariat is appointed by agreement between the Secretaries of Delegations. Mr. Norman Brook has been appointed Secretary General for the period of the present visit of Foreign Ministers.

(3) The Joint Secretariat will organise the technical handling of all the documents of the Council. It will be responsible for reproducing, in a numbered series all documents submitted by Delegations for consideration by the Council and circulating copies to all Delegations. These documents will be reproduced in English, Russian, French, and, where necessary, Chinese; and the Joint Secretariat will be responsible for arranging for translations to be made.

(4) The Joint Secretariat will make arrangements for meetings. It will make any changes desired in the times of the regular meetings of Foreign Ministers and of Deputies, and it will also assist in arranging such other meetings as may be required.

The Joint Secretariat will also issue Agenda papers for meetings whenever it is possible to give notice in advance of the questions to be discussed.

(5) As regards the recording of meetings, the Secretary General will prepare a full summary of the proceedings at meetings of both Foreign Ministers and Deputies. He will submit these summaries in draft to a meeting which he will hold each evening with the other

members of the Joint Secretariat, who will thus have an opportunity to offer comments and corrections. The summaries will then be circulated to Delegations by 8 a. m. on the morning following the meetings to which they relate, not as agreed records carrying the full approval of all Delegations but as informal summaries issued primarily on the responsibility of the Secretary General, but after consultation with a member of each Delegation. A definitive version of this summary will be issued later after the receipt of any corrections from Delegations.

The summaries will be discussed with all members of the Joint Secretariat on the basis of an English text. Translations into Russian and French will then be put in hand at once, and these should be available during the course of the following morning.

It is recommended that this system be tried on an experimental basis, subject to review in the light of experience.

(6) The Joint Secretariat will also make itself responsible for securing, in consultation with the Delegations, a fully agreed statement of conclusions reached by the Council as the work of the Council proceeds. By this means the Joint Secretariat will build up from day to day a body of agreed conclusions, which will greatly facilitate the preparation of an agreed Protocol and Communiqué at the conclusion of the Foreign Ministers' visit.

740.00119 Council/9-1345

*The Australian Minister for External Affairs (Evatt) to the Secretary of State*⁸⁵

[LONDON,] 13 September, 1945.

DEAR MR. BYRNES: As a result of our conversation this morning,⁸⁶ I now submit in writing certain considerations which appear to me to bear on the question of how and to what degree other Governments should be associated with the activities of the Council of Foreign Ministers.

I realise that you are fully aware that this question is of pressing importance. There is consequently no need for me to recapitulate here the general reasons why the association, in some form, of other Governments with the discussions and decisions of the Council is both just and desirable.

As I see it, the point to which attention should now be given is how this can be effected in a way which will not only pay proper regard to the claims and status of other countries which have been principal

⁸⁵ Handwritten marginal notation reads: "Delivered by hand at 11:30 p. m. Sept. 13."

⁸⁶ No record of this conversation has been found.

belligerents in this war, but will at the same time preserve the essential requirement of expeditious handling of the principles and matters to be discussed.

The suggestions hitherto made at the meeting of deputies yesterday morning and later at the meeting of the Council in the particular connection of the Italian Peace Treaty have, generally speaking, attempted to meet the problem by trying to arrange interested Governments not represented on the Council into categories, e.g., those "directly interested" or those "directly attacked" or again those who may have made a particular contribution to the defeat of the enemy. The difficulties which this method of approach leads to were, I understand, very clearly shown in the discussions of the Council yesterday. The Italian Peace Treaty is only the first of matters to come up before the Council in which other Governments will feel themselves concerned. If arrangements have to be threshed out *ad hoc* in each succeeding case I can see no end to discussions of the same general character.

The fact is, I submit, that to attempt to define the precise degree of concern or interest of other Governments in the matters coming before the Council is a quite unnecessary complication of an essentially simple issue. In the same way as the five members of the Council are in the last resort acknowledged as representing the United Nations in the immediate handling of matters relating to the Peace settlements, I cannot see why there should not be associated with the Council—and not only for the present meeting—a corresponding group of countries which would broadly represent the remaining United Nations in the discussion of matters coming before the Council of more than localised concern.

If the criterion for inclusion in this group was the broad one—and I believe the only right one—of active and sustained belligerence against the three Axis Powers, these associate members of the Council would be comparatively few in number and would in no way be a hindrance to the work of the Council, far less a cause of delay, in fact, than would be occasioned by some of the procedures already suggested for association of other Governments with the activities of the Council. For the sake of illustration and without any intention of rigidity at this stage, I would suggest that the group might consist of the four British Dominions, Yugoslavia, Greece, Poland and perhaps Brazil. No question of voting is involved and the associate membership would keep the Council within easily manageable proportions.

It would be entirely within the province of the Council itself to nominate such a group to constitute its associate members. If the Council were willing to do this, I feel sure that you will agree that

it is an arrangement which would obviate once and for all the kind of really unnecessary difficulties which have arisen in connection with the Peace Treaty with Italy. One further advantage which I see from the nomination of such a panel is that it would also provide a sound and equitable basis for the working of subordinate committees of the Council and the conduct of the work of the Council in the intervals between sessions.

I submit the above to you for your earnest consideration.

So far as Australia is concerned, we would feel our exclusion from participation in the Council's work to be incompatible with our sustained war effort against all our enemies in this war—an effort which you and the President have both acknowledged.

I am at your call if you desire to have these suggestions further elaborated.

Yours sincerely

H. V. EVATT

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Third Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 14, 1945, 11 a. m.*

C.F.M.(P) (45) 3rd Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. B. V. Cohen	M. F. T. Gousev
Sir A. Clark Kerr	Mr. J. Dunn	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
Sir N. Charles ⁸⁷	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh (Chairman)	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux ⁸⁸	Dr. Victor Hoo	
M. Fouques Duparc	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

1. REPARATIONS FROM GERMANY

M. MOLOTOV handed in a Memorandum on this subject (C.F.M.(45) 15).⁸⁹

The Council agreed to consider at their meeting that afternoon whether this question should be added to the Agenda for the present Conference.

⁸⁷ Sir Noel H. H. Charles, British Ambassador in Italy.

⁸⁸ General of the Army Georges Catroux, French Ambassador to the Soviet Union.

⁸⁹ *Post*, p. 175.

2. REPATRIATION OF SOVIET CITIZENS

M. MOLOTOV asked whether his Memorandum on this subject (subsequently circulated as C.F.M.(45) 10⁹⁰) could be added to the Agenda.

The Council agreed that this question should be added to the Agenda for the present Conference.

3. SECRETARIAT

(Previous Reference: C.F.M.(D) (45) 2nd Meeting, Minute 2).

M. GOUSEV reported that at their Meeting on the previous day the Deputies had agreed upon recommendations regarding the composition and functions of a Joint Secretariat, which were set out in C.F.M. (45) 12.⁹¹ These recommendations were now submitted for approval by the Council of Foreign Ministers.

The Council approved the report of the Deputies on the composition and functions of the Joint Secretariat (C.F.M.(45) 12).

4. ITALY: PROCEDURE FOR PREPARING PEACE TREATY

(Previous Reference: C.F.M.(D) (45) 2nd Meeting, Minute 1).

M. GOUSEV reported that there was a difference of view between the Deputies regarding the agreement reached by the Council of Foreign Ministers on 12th September (C.F.M.(P) (45) 2nd Meeting, Minute 2) with regard to the countries which were to be invited to express their views in writing on the Peace Treaty with Italy. He understood the agreement in the sense that the Governments of all countries at war with Italy would be asked to submit their views in writing.⁹² Mr. Dunn, Sir Ronald Campbell, M. Couve de Murville and Dr. Wellington Koo had understood the agreement to mean that invitations would be sent to the United Nations at war with Italy. After discussion the Deputies had not reached agreement and had instructed him to report to the Council accordingly.

M. MOLOTOV said that on further consideration the Soviet Delegation had decided that they could agree that invitations to express written views on the Peace Treaty for Italy should be issued to those of the United Nations who were at war with Italy.

The Council invited the Deputies to determine the procedure for enabling those of the United Nations who were at war with Italy to express their views in writing on the Italian Peace Treaty.

⁹⁰ *Ante*, p. 151.

⁹¹ *Ante*, p. 155.

⁹² According to the record of the second meeting of the Deputies, September 13, 1945, 11 a. m., Minute 1 (not printed), it was Ambassador Gusev's contention that it was necessary to find some principle for consultation with interested states which would include such countries as Albania, which, although not a member of the United Nations, had been at war with Italy (Council of Foreign Ministers File: Lot M-88: CFM London 1945 Deputies Minutes).

5. ITALY: DRAFT HEADS OF PEACE TREATY

DR. WANG SHIH CHIEH proposed that the Conference should consider the memorandum by the United Kingdom Delegation covering Draft Heads of a Peace Treaty with Italy (C.F.M. (45) 3).^{92a}

MR. BYRNES, M. MOLOTOV, M. BIDAULT and DR. WANG SHIH CHIEH paid tribute to the valuable work done by the British Delegation in preparing the draft heads of a Treaty.

MR. BYRNES suggested that the British draft should be used as a basis for detailed discussion by the Deputies. It would, however, be desirable for the Foreign Ministers to select the more important subjects and to give the Deputies guidance on these. He handed in a memorandum by the United States Delegation (subsequently circulated as C.F.M.(45) 16⁹³) setting out the points of principle which in their view should be discussed by the Foreign Ministers themselves.

M. BIDAULT agreed with the procedure suggested by Mr. Byrnes. The French Delegation would submit a memorandum on the minor modifications which they desired in the frontier between France and Italy.

DR. WANG SHIH CHIEH said that the Chinese Delegation had circulated memoranda (C.F.M.(45) 13 and 14⁹⁴) on certain points of special interest to China. These could be considered by the Deputies.

M. MOLOTOV said that he must make one reservation. As he had pointed out at the Council's meeting on 12th September (C.F.M.(P) (45) 2nd Meeting, Minute 2) the Soviet Delegation would find it difficult to discuss such questions as the frontier between Yugoslavia and Italy without hearing the views of the Yugoslav Government. He suggested that the Council should comply with the request of the Yugoslav Government and invite them to send representatives to put their views before their Conference.

MR. BYRNES said that, after the Council had exchanged views on points of principle, the Deputies would have to work out detailed proposals. For this purpose the Deputies might decide to visit the territories in question; and they could then hear representations from interested parties and see what conditions were on the spot. They could collect information from any source they deemed appropriate. As a result of their investigations, the Foreign Ministers would have before them all the relevant facts and arguments. At that stage the

^{92a} *Ante*, p. 135.

⁹³ *Post*, p. 179.

⁹⁴ C.F.M.(45) 13, September 14, 1945, memorandum by the Chinese delegation entitled "Peace Settlements with Italy and China's Special Questions" (not printed), set forth the desire of the Chinese Government that the abrogation or renunciation of agreements and privileges enjoyed formerly by Italy be specifically included in the peace treaty with Italy. The questions set forth in this memorandum were also presented by the Chinese delegation in the form of draft articles for the Italian Peace Treaty in C.F.M.(45) 14, September 14, 1945, not printed.

Council might decide to invite the Yugoslav and Italian Governments to send representatives to put their case orally before the Foreign Ministers.

MR. BEVIN suggested that representatives of interested British Dominions, and perhaps British Colonies, should be given similar facilities to put their views before the Deputies. Some of the British Dominions claimed that they had a vital interest in the port of Trieste.

M. MOLOTOV agreed that the Deputies might visit the territories in question if they found it necessary to do so. But Yugoslavia was one of the United Nations which was not represented at this meeting, although it had a common frontier with Italy, and had asked that its views on the territorial question should be heard. A precedent had been set by inviting the Poles to the Berlin Conference to put forward their views on the western frontier of Poland, and in these circumstances it was difficult to reject the Yugoslav request for similar facilities. He suggested that the Yugoslav Government should be invited to send representatives to put their views before this meeting of the Council. As regards the British Dominions, he was prepared to agree to any proposals that might be put forward for enabling them to state their views either to the Deputies or to the Foreign Ministers.

MR. BYRNES saw no objection to hearing representatives of any British Dominion which claimed to be heard. He suggested that they should ask the Governments of Yugoslavia and Italy to send representatives to put their views before the Council on Monday, 17th September, and representatives of such of the British Dominions as claimed to be heard could be invited to attend at the same meeting.

The Council asked Dr. Wang Shih Chieh, as Chairman, to arrange for the Governments of Yugoslavia and Italy, and the Governments of such British Dominions as claimed to be heard, to be invited to send representatives to present their views at the meeting of the Council on Monday, 17th September.

The Council then proceeded to discuss the points of principle set out in the United States memorandum (C.F.M.(45) 16).

Section I: Territorial Provisions for Italy in Europe

(1) It was agreed that the frontier with France would be unchanged, subject to hearing the case of the French Government for minor rectifications.

It was further agreed that the Deputies should consider the memorandum which the French Delegation proposed to submit on the minor adjustments desired in the Franco-Italian frontier.

(2) It was agreed that the frontier with Switzerland should remain unchanged.

(3) It was agreed that the frontier with Austria would be unchanged, subject to hearing any case which Austria might present for minor rectifications in her favour.

(4) It was agreed that discussion of the proposals in the United States memorandum regarding the frontier between Yugoslavia and Italy should be deferred until the Council had heard the representatives of other Governments who were being invited to attend the meeting on Monday, 17th September.

(5) It was proposed in the United States memorandum that the Dodecanese Islands should be ceded to Greece and demilitarized.

MR. BEVIN said that, in the view of the British Government, Castelrosso should be ceded to Turkey. This island was a friction point between the Turks and the Greeks. He was ready to agree that this point should be considered by the Deputies in consultation with the interested parties.

MR. BYRNES said that there was no evidence to suggest that Turkey wanted Castelrosso, and the population was overwhelmingly Greek. For these reasons he could not agree that the island should go to Turkey. If it were to be demilitarised there would be no military danger to Turkey in leaving it under the control of Greece; if Turkey were asked her views, it was likely that she would claim the island.

M. MOLOTOV said that, in his view, the disposal of the Dodecanese Islands should be considered in connection with the disposal of other Italian possessions overseas, and he therefore proposed to reserve his views until the Council discussed the Italian Colonies.

MR. BEVIN and MR. BYRNES said that they did not regard the Dodecanese Islands as standing on the same footing as the Italian Colonies; but, as the Italian Colonies would come up for discussion very shortly, they agreed that this point should stand over for the time being.

(6) It was agreed that Italy should be required to renounce all claims in relation to pre-war Albania.

(7) It was proposed in the United States memorandum that Pantellaria and Isole Pelagie should be demilitarized.

M. MOLOTOV asked what was the motive for this proposal. Was it wise to hurt the national feelings of Italy in such a trifling matter?

MR. BEVIN said that the British had not found this a trifling matter during the war.

M. MOLOTOV said that the Council had not given any study to the international importance of these islands, and suggested that this point should be referred to the Deputies.

MR. BYRNES did not think it would be profitable to refer a question of policy to the Deputies without giving them some guidance. He said that the same principle as regards demilitarisation should apply

both to the islands and to the mainland of Italy. He suggested, and it was agreed, that paragraph 7 of the memorandum should be considered together with the proposals on armaments in Section IV.

(8) It was agreed that Zara and the Dalmatian Islands should go to Yugoslavia.

(9) It was agreed that Saseno should go to Albania.

Section II: Human Rights

It was agreed that the Peace Treaty should require Italy voluntarily to undertake to maintain a Bill of Rights corresponding to the freedoms of speech, religious worship, political belief and public meeting which were to be sought for Italy by the United Nations pursuant to the Moscow Declaration of November, 1943,⁹⁵ and also confirming the human rights and fundamental freedoms of the United Nations Organisation.

It was agreed that the Council of Foreign Ministers should continue their discussion of the United States memorandum at their meeting that afternoon.

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*Memorandum of Conversation, by Mr. Charles E. Bohlen, Special Assistant to the Secretary of State**

[LONDON,] September 14, 1945.

Participants: The Secretary

Mr. Bohlen

Mr. Molotov

Mr. Gusev

Mr. Pavlov

The Secretary, in explaining the United States proposal concerning collective trusteeship for the Italian colonies, contained in the United States memorandum submitted this morning,⁹⁶ said that the people of the Arab states had supported us during this war because they had faith in the declaration of principles which we had all made during the war, and particularly with respect to the right of all peoples to choose the form of government under which they were to live. He added that the U. S. proposal would have the additional advantage that it would demonstrate to all the world that no one country was attempt-

⁹⁵ Declaration Regarding Italy, by the Foreign Secretaries of the United States, the United Kingdom and the Soviet Union, released to the press on November 1, 1943; for text, see *Foreign Relations*, 1943, vol. I, p. 759.

*The first few minutes of this conversation were not recorded as Mr. Bohlen was not present. [Footnote in the original.]

⁹⁶ Presumably the reference is to the memorandum by the United States delegation, C.F.M.(45) 16, September 14, "Suggested Directive to Deputies", p. 179.

ing to gain special privilege for itself in regard to these colonies; that no national military bases or military establishments would be set up in these colonies, and would thus constitute a strong assurance for collective security. He said that in ten years the new generation in these colonies both Italian and Arab would undoubtedly be in a position to develop their own police force. The presence of the principal nations of the world on the trusteeship and security councils of the United Nations would assure that each nation would have a voice in the administration of these territories, and thus no one nation would feel that any other was gaining an advantage.

Mr. Molotov replied that he thought it would be desirable for us to reach in advance an agreement here as to what nations should administer what colonies under general trusteeship, or at least decide in advance from what nation the administrator of a given territory should come. The Secretary replied that in his opinion it would be better to choose an administrator from some neutral country having no direct interest in the colonies. He feared that if this was not done, for example, Italy would claim the right to have an Italian administrator in Libya because of her experience and because of the presence of an Italian population. He went on to say that, however, in addition the American proposal contemplated the appointment of an advisory committee which would have representatives on the spot who would be able to watch the character of the administration and report any instances of maladministration or violation of the principles of trusteeship to the Trustee council.

Mr. Molotov said that the Secretary's proposal was one of the most interesting that had been submitted and deserved the most careful study. He said that the Soviet Government stood by the decision reached in San Francisco that colonies taken from the enemy states should be placed under the trusteeship council of the United Nations. He added, however, that the Soviet Union believed that under this trustee administration each one of these colonies should be turned over to one member of the United Nations for administration. He said in regard to at least one of the Italian colonies the Soviet Union would like to try its hand at colonial administration under the general trusteeship principle. The Soviet Government had had considerable experience in bringing about friendly relations between nationals, and he felt that if Tripolitania was entrusted to the Soviet Union for Administration, they would not lag behind any other country in their development of the welfare of the people and in preparing them for independence within ten years. He added that the Soviet Government felt, of course, that the United States should likewise administer at least one of the Italian colonies, and Great Britain another. He

added that in his opinion the only rivalry would be as to which country could prove itself to be the best administrator.

The Secretary replied that in so far as the United States was concerned, they did not wish to undertake such a burden, although they would be glad to participate in the trusteeship council. Mr. Molotov asked what about the Philippines. The Secretary replied that we had acquired the Philippines as the result of the Spanish-American War, and that we had therefore accepted this burden and duty which had been thrust upon us, but that we would not voluntarily assume such a burden in respect of other colonial areas. He pointed out that we are now giving the Philippines full independence.

The Secretary said the American proposal was based on the belief that Italy had not lived up to her responsibilities as a colonial power. Mr. Molotov agreed to this, and said that it was because they felt they could do better than Italy that he proposed that one of the Italian colonies be placed under Soviet administration under a general trusteeship agreement.

The Secretary said that he wished to speak frankly to Mr. Molotov; that if the Soviet Union, the United States, and Great Britain each took a colony for single administration, France and other nations would likewise wish to acquire one on the same basis. He said in those circumstances the whole world would regard the arrangement as a repetition of the division of spoils of war cloaked under a general trusteeship agreement, and he felt that all our reputations would suffer. He said that under our scheme, the U.S.S.R. would be assured of a voice in naming the administrator through its membership on the trusteeship council, and would furthermore be in a position to check on the administration through its representative on the advisory council. He said that in both of these bodies the admitted experience of the Soviet Union in dealing with nationalities would be available and of great help.

Mr. Molotov said that he foresaw difficulties in the choice of an administrator. It would be very difficult for the nations to agree upon any individual since he would have to be a citizen of one country or another, and the whole problem of national control would then arise. For example, if the choice is an Englishman, the colony would then be the equivalent of an English colony, and the same would apply if the choice were a Soviet citizen. If, on the other hand, it were a citizen of a neutral country, there would be great competition among the other nations in an endeavor to influence him in the direction of their respective national policies. He felt therefore that to face the issue squarely and to assign the colony for administration to one country would produce less friction. The Secretary replied that he did not agree with that since he felt that if the citizen of a disinterested

country were appointed, say, from Sweden or Switzerland, all nations would then have assurances that there would be no military establishment, no army developed in that colony, since the administrator would have no interest in doing so. Mr. Molotov repeated that he felt that there would be great difficulty in agreeing on the administrator. The Secretary concluded the interview by saying that if they were unable to agree, with the whole world to choose from, on administrators for these colonies, he could not, in God's world, see how it would be possible to agree on what countries they should be turned over to for administration.

Council of Foreign Ministers Files : Lot M-88 : CFM 1945 London Minutes

*Record of the Fourth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 14, 1945, 4 p. m.*⁹⁸

C.F.M.(P) (45) 4th Meeting

PRESENT :

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes (Chairman)	M. Molotov
Sir R. I. Campbell	Mr. B. V. Cohen	M. F. T. Gousev
Sir A. Clark Kerr	Mr. J. Dunn	M. A. Gromyko ⁹⁹
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. K. V. Novikov
Sir N. Charles	Mr. C. E. Bohlen	M. S. A. Golunski
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Vietor Hoo	
M. Fouques Dupare	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

1. CONTROL AND ADMINISTRATION OF GERMANY

M. BIDAULT circulated a memorandum by the French Delegation on the control and administration of Germany (C.F.M.(45) 17).¹

2. REPARATIONS FROM GERMANY

(Previous Reference C.F.M.(P) (45) 3rd Meeting, Minute 1)

The Council agreed to defer consideration of the question whether the Soviet memorandum on this subject (C.F.M.(45) 15²) should be added to the agenda for the present Conference.

⁹⁸ For text of the communiqué released to the press by the Council of Foreign Ministers regarding this meeting, see Department of State *Bulletin*, October 14, 1945, p. 564.

⁹⁹ Andrey Andreyevich Gromyko, Soviet Ambassador to the United States.

¹ Memorandum by the French delegation, September 13, "Control and Administration of Germany", p. 177.

² Memorandum by the Soviet delegation, September 14, "Reparations from Germany", p. 175.

3. ITALY: DRAFT HEADS OF PEACE TREATY (Previous Reference C.F.M.(P) (45) 3rd Meeting, Minute 5)

DR. WANG SHIH CHIEH read out the text of a draft letter,³ prepared in accordance with the Council's decision at their meeting that morning, to the Italian Representative in London, the Yugoslav Ambassador in London, the Right Hon. H. V. Evatt, the High Commissioner for Australia, the Acting High Commissioner for New Zealand, the Acting High Commissioner for Canada, the High Commissioner for the Union of South Africa and the Secretary of State for India, inviting them to send representatives to the Council's meeting on Monday, 17th September, if they so desired, to present the views of their Governments on the question of the Yugoslav-Italian frontier and the future of the city and port of Trieste.

The Council invited Dr. Wang Shih Chieh to despatch letters to the representatives of these Governments in the terms of this draft.

4. ITALY: DISPOSAL OF ITALIAN COLONIES

The Council proceeded to discuss Section III of the memorandum by the United States Delegation (C.F.M.(45) 16⁴) dealing with the disposal of the Italian Colonies.

MR. BYRNES said that the first question was whether the Italian Colonies should be left with Italy or taken from her. Italy had not used her opportunities as a colonial Power to the best advantage. She had failed to develop her colonial peoples in the direction of self-government. He had concluded that Italy's Colonies should not be returned to her, but should be placed under trusteeship.

The peoples of the world would not have responded to the call to join the United Nations in the war if certain hopes had not been held out to them and certain promises made. In the Atlantic Charter, the Moscow Declaration and on other occasions the principal Powers had declared that they sought no territorial advantages and intended to secure for the peoples of the world an opportunity to choose the form of government under which they wished to live.

³ The letter, dated September 14, 1945, read as follows:

"At their meeting this morning the Council of Foreign Ministers now in Session at Lancaster House in London agreed to enquire of the Government of whether they wished to represent their views to the Council on the question of the Yugoslav-Italian frontier and the future of the city and port of Trieste.

"Accordingly, as the Chairman of the Council of Foreign Ministers on that occasion, I was asked to invite the Government of to nominate a representative, if they so desired, to attend the meeting of Foreign Ministers to be held in Lancaster House on Monday, 17th September, at 4.0 p. m. to express the views of the Government on these problems."

The letter was signed by the Chinese Foreign Minister. (Council of Foreign Ministers Files: Lot M-88: CFM Miscellaneous)

⁴ Memorandum by the United States delegation, September 14, "Suggested Directive to Deputies from the Council of Foreign Ministers to Govern Them in the Drafting of a Treaty of Peace with Italy", p. 179.

The United States Delegation proposed, as regards Libya, a promise of independence after a ten-year period of trusteeship under an administrator appointed by the Trusteeship Council of the United Nations. All States members of the Council of Foreign Ministers would have a voice in the selection of this administrator. He would be assisted by an Advisory Committee including representatives of all States members of the Council of Foreign Ministers except China, and also representatives of Libya and Italy, who would be able to provide information relating to the territory which would be of value to the Committee. If the administrator failed to discharge his responsibility to the satisfaction of any of the States represented on the Committee, any one of them would be entitled to bring the matter before the Trusteeship Council.

This arrangement would give an assurance to all that the Italian Colonies would not be developed to the military advantage of any one nation. It would be left to the Security Council to determine where, if necessary, any strategic bases might be located.

Such a plan, in his submission, would give heart to the peoples of the world, since it would show that the Great Powers sincerely intended to give them at the earliest possible opportunity freedom to determine the type of government under which they wished to live.

M. BIDAULT said that he had not had time to give detailed consideration to the United States proposals, which differed in some respects from those put forward by the British Delegation in C.F.M.(45) 3, and at the present stage he could only express provisional views. The territories under discussion were of great importance to France, and he must ask that full consideration should be given to the views of the French Government before any final decision was taken about their disposal. In the view of the French Delegation it would be neither equitable nor wise to deprive Italy of all those Colonial territories which she had held before she herself came under the domination of the Fascist system, which now had happily been overthrown by the joint efforts of the United Nations. Italy was a small country, with a high birth rate. In pre-Fascist days Italy had rendered service to these territories. Further, he did not think it fair that Italy, who had in the later stages of the war made some contribution towards the overthrow of Fascism—within her own territory and outside it—should receive the same treatment as a country which had made no such contribution. The question of prestige for the new Italy must also be remembered. M. Molotov had referred that morning to the effect which the demilitarisation of Pantellaria would have on the national feelings of Italy: the loss of her Colonies would be far more serious from this point of view. He did not imply that the French Delegation favoured the retention of the *status quo ante*

bellum. France would ask for certain rectifications in the Italian colonial Empire, as he believed would the British Commonwealth, whose armies had struggled for so long in the sands of North Africa. He suggested that these adjustments should be studied by the Deputies.

As regards the proposals made by the United States delegation, he raised no objection in principle to a system of trusteeship. He would, however, remind the Council that the Preparatory Commission of the United Nations Organisation were that very afternoon beginning their discussions on the possibility of administering the kind of collective trusteeship which the United States Delegation had in mind. If the Council were now to accept the solution proposed by Mr. Byrnes, they would not know in any detail to what they were committing themselves. Trusteeship under a single country was very different from collective trusteeship of the type proposed. How such a collective system would work, particularly in the territories under discussion, was not known.

In his opinion, subject to certain reservations, he saw advantages in setting up for these territories which were to be detached from Italian rule a system of trusteeship under the control of the United Nations. He thought, however, that the Deputies should examine the whole matter, if necessary sending representatives to the territories concerned.

DR. WANG SHIH-CHIEH said that the Chinese Delegation favoured the United States proposals. This plan was in accordance with the principles of the United Nations Charter. At San Francisco the Chinese Delegation had proposed, and insisted, that the independence of peoples should be one of the objectives of international trusteeship. The present plan did not diverge from this objective, nor from the principles adopted at San Francisco; and he hoped that the Council would seek a solution on these lines.

MR. BEVIN said that at this stage he wished to raise three points:—

(a) The United States memorandum referred to Libya. Libya in fact comprised two territories—Cyrenaica and Tripolitania. Could these territories be named separately?

MR. BYRNES agreed.

(b) If this matter were remitted to the Deputies could it be understood that they were empowered to study, not only the proposals in the United States memorandum, but also such other proposals as might be put forward by other States members of the Council or by other United Nations at war with Italy. He would like the Governments of the British Dominions to be given an opportunity of putting their views to the Deputies. It was not yet known what form collective administration would take—e.g. whether there would be an international administrative Service for this purpose and a system for sharing the costs of collective administration. This was a new

experiment, which the British Government would try to make work, but to be committed to this method of trusteeship, without the possibility of altering it if it were found to be unworkable, would put them under a difficulty.

(c) The British Government were also in a difficulty as regards the Senussi. In 1940, when they were fighting in the North African desert, they had given a public pledge, which they had repeated in 1942, that they would not be parties to putting the Senussi back under Italian rule.⁵ No nation had objected to this pledge and the British Government felt that they were to some extent committed. The principle of trusteeship did not conflict with this undertaking, but Cyrenaica and Tripolitania should be dealt with separately as conditions were different in the two territories.

M. Molotov supported Mr. Byrnes' statement that Italy had not made good use of her colonial opportunities. They were conquered territories which Italy had used for aggressive purposes, with no regard to the interests of the local populations. From this he drew the conclusion that M. Bidault's suggestion that the Colonies should be left with Italy was not the right one. Any comparison with Pantellaria was out of place, as Pantellaria was not a colonial possession.

M. Molotov went on to associate himself with Dr. Wang in saying that the advantage of Mr. Byrnes' proposal was that it would maintain the principle of the independence of these territories. It would safeguard the control of the United Nations and would also serve to ensure the independence of these countries in the shortest possible time. Nobody could pretend that Italy had cared about the independence of these countries; and, if they were returned to Italy, who had waged war at the side of the Germans against the countries represented at the table, no one would believe that there was any hope of Colonial territories becoming independent.

M. Molotov said that, before he put forward the proposals of the Soviet Government, he would like to mention a point of principle on which he and Mr. Byrnes were united. From what had been said that afternoon it appeared that all the States members of the Council recognised the principle of trusteeship as the appropriate method of dealing with all the Italian Colonies. Apart from the reservation made by M. Bidault, they all agreed that these Colonies should not be left to Italy. They also agreed that they should be placed under the trusteeship of the United Nations in accordance with the San Francisco decisions.

⁵ For the statement by the British Foreign Secretary on January 8, 1942, regarding the determination of the British Government that the Senussi of Cyrenaica would not again be subject to Italian rule, see *Parliamentary Debates*, House of Commons, 5th series, vol. 377, col. 78. For documentation regarding the noncommittal attitude of the United States in regard to this British pledge to the Senussi, see *Foreign Relations*, 1942, vol. III, pp. 33 ff.

Further, they were all interested in the method by which the general principle of trusteeship should be applied in individual cases, and that was of particular importance here because this was the first practical application of the principle. He fully appreciated Mr. Bevin's warning that they should be careful in its application in the initial stages. Mr. Byrnes had put forward a very interesting proposal which was worthy of careful study, particularly his suggestion that collective trusteeship should be combined with individual responsibility in the person of a permanent administrator. But he was not certain what was involved in the principle of a permanent administrator with wide authority, and the difficulty would be to find such a person who would be acceptable to all the members of the Trusteeship Council.

What then were the proposals of the Soviet Delegation? They took the view that the principle of trusteeship might be applied to some of the Italian Colonies on the basis of individual trusteeship by a single Power and that, for others, the administration might be entrusted to a number of Powers on the basis of collective responsibility. If there was doubt about the feasibility of collective responsibility, the Soviet Government would have no objection to placing each of the Italian Colonies under the individual trusteeship of a particular Power. The Soviet Government favoured individual trusteeship by one Allied nation chosen by the United Nations.

The Soviet Government itself had certain claims. Those claims were based on the fact that Italy had attacked the Soviet Union, with ten divisions and three brigades of Blackshirts, who had devastated large areas of the Soviet Union penetrating as far as Stalingrad, the Northern Caucasus and the Crimea. The Soviet people could not ignore what they had done. It was possible to be kind hearted, but one should first be kind hearted on one's own account and not on account of other countries. M. Molotov asked M. Bidault to appreciate the feelings and interests of the people of the Soviet Union. The Soviet newspapers had published the previous day particulars of the damage done to Soviet property during the war. This amounted to no less than 269 billion roubles, and a considerable part of it had been caused by Italian troops. It would, therefore, give satisfaction to the feelings of the Soviet Union if Italy were to be deprived of her privileges in territories where she had proved unequal to her responsibilities.

Another important reason for the Soviet claim was that the Soviet Government had wide experience in establishing friendly relations between different nationalities. This experience could be used to advantage in one of the Italian Colonies, and the Soviet Government would undertake to use the authority given them by the United

Nations in such a way as not merely to maintain, but to enhance, the prestige of the United Nations.

The Soviet Government accordingly proposed that they should be made responsible for the trusteeship of Tripolitania. He could assure the Conference that the ten-year trusteeship period proposed by Mr. Byrnes would be sufficient to accomplish the task entrusted to the trustee Power by the United Nations, namely, to prepare the territory for an independent existence.

MR. BYRNES, referring to what Mr. Bevin had said, said it was important that the Council should discuss this question themselves before referring it to the Deputies, since the discussion had revealed that there were questions of policy that must be determined before the Deputies could consider the details. Thus, the Council should themselves decide:—

- (i) whether the Colonies were to be taken from Italy;
- (ii) whether they agreed that the principle of trusteeship should be applied to these territories—on this the French had expressed some reservations, but the other Powers appeared to agree;
- (iii) whether, if there were to be a trusteeship arrangement, it could be limited to a ten-year period for Libya and Eritrea;
- (iv) whether the Colonies were to be administered by particular States or by individuals selected by the Trusteeship Council of the United Nations;
- (v) if the Colonies were to be administered by individual States, which States should be responsible for which Colonies.

The United States Delegation thought that it would be extremely difficult for the Council to agree which States should administer particular Colonies. M. Molotov had expressed a fear that, if the United States proposal were adopted, the Trusteeship Council would not be able to agree on the individual to whom the task should be entrusted; but he (Mr. Byrnes) thought it would be much easier to agree on an administrator to act under a collective trusteeship than on particular States to be responsible for individual trusteeship. The selected individual could not be charged with having any desire to develop the colony for military or commercial advantage, since he would have no incentive to do so. The United States Delegation believed that these colonies constituted a trust, and would be a burden to any State which administered them. They should not be regarded as spoils of war or recompense for damage inflicted. There was no question about the sufferings of the Soviet people at the hands of the Italian troops, and he was satisfied that the British Commonwealth could make out a similar case in respect of the injuries inflicted on them by the Italians in the early days of the war. That was true of France also. If, how-

ever, any one of those three Governments were to be selected as trustees, then, no matter how they tried to avoid the charge, they would be accused of using their trust to reimburse themselves for the losses which they had suffered during the war. His information was that the colonies which they were discussing had proved a burden to the Government entrusted with their administration, and there was no hope of securing reparations from them.

M. MOLOTOV said that he had no such intention.

MR. BYRNES said that he had no doubt of that. But he repeated that these territories were and would continue to be a burden on whatever Government undertook their administration. It would be a sacred trust on such a Government to develop self-government among the natives. Furthermore, if these Italian colonies were assigned respectively to those three States and were developed militarily, they would be sowing the seeds of future trouble instead of promoting peace.

M. MOLOTOV said that nobody had suggested using these territories for military purposes.

MR. BYRNES agreed. But this was one of the things they must think of, for the future. No State should be subjected to this temptation. The United States Government had no desire to participate in trusteeship for any of these colonies, but was prepared to serve as contemplated in the United States proposal, in the hope that this might contribute to a solution of this very difficult problem.

M. MOLOTOV said that he had put forward two arguments for his present proposal—the moral rights of the Soviet Union, and the experience of the Soviet Government in nationality matters.

On the first point, he agreed that rights in this matter were not confined to the Soviet Union: the British Commonwealth had no less a right. He need not dwell at length on the sacrifices and contribution of the Soviet Union in the war against Germany and Italy because the part that she had played was well known. He did, however, want to emphasise that the Soviet Union, thanks to the part she had played in the war, had a right to play a more active part in the fate of the Italian Colonies than any rank and file member of the United Nations, and he stressed the role of the Soviet Government in deciding the destinies of Europe, of which Italy formed an important part.

As regards the experience of the Soviet Union in dealing with relationships between various nationalities, he thought that this could be usefully applied in Tripolitania and could yield fruitful results. He excluded any possibility of using Tripolitania to make good the damage which the Soviet Union had suffered or of using it for military purposes, since it was self-evident that no armaments could be tolerated in a former Italian Colony.

As regards Mr. Byrnes' statement that it was easier to choose individuals to administer the Colonies than to choose States, M. Molotov argued that an individual must be a national of some State and would therefore be, not merely an individual, but the representative of a nation. In either case therefore it was impossible to get away from the question of particular States. As it was not possible to avoid the question what States should be closest to the administration of a particular Italian Colony, was it not simpler to make a State rather than an individual responsible for the administration?

MR. BYRNES pointed out that an international trusteeship did not exclude the possibility of using the experience of the Soviet Government in administering the Italian Colonies. The Soviet Government would provide a representative on the Advisory Committee to give guidance on the spot to the administrator. The United States Government also had some experience in controlling territories; but they would be content to apply that experience through their representative on the Advisory Committee. He did not share M. Molotov's view that it was impossible to ignore the citizenship of the administrator. The United States Government would vote for an administrator who had the necessary qualifications, were he a citizen of the Soviet Republic, of the British Empire, or of France. They would know that such a man would have no power to harm any of the other States, but would have the power to improve the lot of the inhabitants of the country which he was to administer.

MR. BEVIN said that, if these matters were to be decided by reference to the war effort of the various nations in particular parts of the world, then indeed the British Commonwealth would have strong claims in respect of the Italian Colonies. In 1940 Ethiopia and Eritrea were liberated by the force of British arms, though the task was a hard one, and much of this was done in the years when Britain stood alone in the war against Fascism. This was a memory which was deeply burned into the hearts of the British people. But the British Commonwealth asked for no territorial accessions: they asked only for the assurance of a lasting peace. And the immediate problem was to find the best method of applying the principle of trusteeship to these territories.

He thought that the difficulty with regard to the nationality of an administrator had been over-emphasized. Such a man would have to have an international rather than a national outlook, once he had been appointed to his position.

It would be wrong for the Council to attempt to decide at once, before the matter had been fully considered in all its aspects, that one

State or another would assume trusteeship in respect of these territories. A hasty decision in a matter of this importance would rightly shock the conscience of the world. This was a very difficult problem which should be given full consideration. He would like the Council to adjourn the discussion until the following day, when he hoped to be in a position to give the considered views of the British Government.

M. BIDAULT associated himself with Mr. Bevin's concluding remarks. The French Government were deeply interested in the future of the Italian Colonies, not only from the security aspect, but also bearing in mind the battles in which the French forces had joined their British comrades in these territories. His observations on this matter must for the present be regarded as provisional and he too required further time to reflect on the problem. M. Molotov had suggested that he was being kind-hearted to Italy. France had suffered much at Italy's hands—in President Roosevelt's phrase, she had been stabbed in the back by Italy. He was influenced, not by kindness to Italy, but by principles of public policy. He would like, finally, to make it clear that the French Government made no reservations with regard to the principle of trusteeship. They had subscribed to that principle at San Francisco.

The Council agreed to resume their discussion of these questions on Saturday, 15th September, at 3 p. m.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 15

LONDON, 14 September, 1945.

REPARATIONS FROM GERMANY

It will be recalled that the Berlin Conference of the Heads of the Three Governments decided that the nature and amount of the equipment to be removed from the western zones of Germany on account of reparations should be defined at the latest within six months from the termination of the said Conference.

It can now be seen that in the course of the last six weeks no practical steps have yet been taken to execute the decisions of the Berlin Conference regarding German reparations and in particular regarding advance deliveries.

Since no further delay can be contemplated in restoring the industries of Allied countries which have suffered destruction from the

German invaders, the Soviet Delegation suggest that the Council of Ministers should adopt a special resolution fixing definite dates for the preparation of proposals regarding the quantity and character of the industrial capital equipment to be moved from the western zones of Germany on account of reparations. In addition, proposals should be drawn up regarding the quantity and character of the industrial equipment to be delivered to the U.S.S.R. in accordance with paragraph 4 (a) and (b) of Section IV of the decisions of the Berlin Conference⁶ and also proposals regarding the quantity and character of the industrial equipment to be supplied as advance deliveries.

The Soviet Government accordingly suggest the adoption of the following resolution:

1. With a view to expediting the execution of the decisions of the Berlin Three Power Conference regarding reparations from Germany, the Inter-Allied Reparations Commission should be transferred from Moscow to Berlin.

2. The Control Council in Berlin, acting in close contact with the Inter-Allied Reparations Commission,⁷ is asked to define not later than 1st December 1945 the quantity and character of the industrial capital equipment to be removed from the western zones of Germany on account of reparations, and also to approve a list of enterprises, the equipment from which is to be handed over to the Soviet Union in execution of paragraph 4 of the decisions of the Berlin Conference regarding reparations from Germany.

3. The Control Council is asked to approve not later than 15th October, a list of enterprises, the equipment from which is to be surrendered as advance deliveries in accordance with paragraph 7 of the decisions of the Berlin Conference so that the export of this equipment can be begun not later than 1st November.

4. The Control Council is invited to despatch immediately to the western zones of Germany mixed commissions of specialists to prepare the material required by the Control Council for executing the measures referred to in paragraphs 2 and 3 above.

⁶ See section IV of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, pp. 1505-1506.

⁷ The Allied Commission on Reparations, consisting of representatives of the United States, the United Kingdom, and the Soviet Union, met in Moscow from June 11 to July 14, 1945, and again briefly in August 1945, at which time a French representative was added to the Commission. For documentation regarding the participation by the United States in the Commission, see vol. III, pp. 1169 ff.; also *Conference of Berlin (Potsdam)*, vol. I, p. 1068, index entries under Germany: Reparations Commission (Allied), and *ibid.*, vol. II, p. 1618, index entries under the same heading.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the French Delegation to the Council of Foreign Ministers

C.F.M.(45) 17

LONDON, 13 September, 1945.⁸

CONTROL AND ADMINISTRATION OF GERMANY

On 31st July last the Provisional Government of the French Republic received an invitation to participate in the Council of Foreign Ministers of the Five Great Powers.⁹ On the same day they received the text of an Agreement concluded between the Governments of the United States, the United Kingdom and the Soviet Union concerning "The political principles to govern the treatment of Germany in the initial control period".¹⁰

In replying to these two communications the Provisional Government made various reservations regarding the solutions which were mentioned as applicable to Germany. These reservations refer to the contemplated restoration of a central Government in Germany, the reconstitution of political parties throughout Germany and the setting up of central administrative departments headed by State Secretaries whose authority would extend over the whole of German territory.

In replying to the communication transmitting the above Agreement the Provisional Government pointed out that such measures seemed to presume a future evolution of Germany along lines as to which it was at present impossible to say whether they accorded with the interests of European peace and the actual desires of the populations concerned.

So far as they are concerned the Provisional Government fully endorse the principle stated in the opening lines of paragraph 9 of the Agreement concerning the way in which the control of Germany is to be exercised, namely that "The administration in Germany should be directed towards the decentralisation of the political structure and the development of local responsibility". They feel that to prejudge the possibilities of political disintegration in Germany is at the moment premature and will for some time remain problematical; that certain schemes for decentralisation are calculated to produce not merely administrative but also political consequences; that to divide Germany into a number of States would promote the maintenance of security in Europe if it were the result of natural evolution and not

⁸ This memorandum was submitted to the Council on September 13, but copies apparently were not circulated in the Council until the following day.

⁹ For the invitation to the French Government and the subsequent documentation regarding the French attitude toward the decisions of the Berlin Conference, see *Conference of Berlin (Potsdam)*, vol. II, pp. 1543-1566.

¹⁰ *Ibid.*, pp. 1481-1483.

an imposed solution. They regret, therefore, that the same paragraph 9 contemplates already the possible re-establishment of a central German Government, the creation of central German administrative departments and the reconstitution of political parties throughout Germany—all of these measures which are likely to revive the trend towards a united Germany and to favour the return to a centralised German State. More especially would they regret to see the Allied authorities replacing their own control, which prejudices nothing, by that of central German administrations set up in Berlin which would look like the first sign of a rebirth of the Reich.

The Provisional Government, further, notes that under the terms of the Potsdam Report the territories situated to the east of a certain line will be handed over to the administration of the Polish State “and for such purposes should not be considered as part of the Soviet zone of occupation in Germany”. Thus, these territories are henceforth not subject to the authority of the Soviet Commander-in-Chief in Germany and the Allied Control Commission, Berlin. Still less would they be subject to the authority of future central German administrations or an eventual central German Government.

The Provisional Government do not *a priori* object to such arrangements, but they must point out that this is the only step so far taken which indicates the intention of the Allied powers to alter the frontiers of Germany as they existed in February, 1938. If at the very moment such a decision is published notice is given of the imminent establishment of central German administrations with powers extending over the whole German territory left after such amputation, these two rulings will very likely be interpreted as confirming the maintenance of German sovereignty over all the areas to which those powers would actually extend.

The Provisional Government, however, have at various times publicly stressed the paramount importance they attach to preventing the Rhineland and Westphalia ever again becoming an arsenal, corridor or base for an attack by Germany on her western neighbours. They feel that the final separation of this region, including the Ruhr, from Germany, is both indispensable in order to cover the French Frontier and an essential condition for the security of Europe and the world. They consider it necessary, therefore, that if central German administrations are to be set up, it should at the same time be specified that their authority should not extend to the Rhineland and Westphalia.

In view of the importance to Europe and the world of the German problem the French Delegation would have expected to see this problem at the head of the agenda of the first meeting of the Council of Five Foreign Ministers. In view of the large number of questions

on the agenda they do not propose to insist on this problem in general, or that of the future of the Rhineland and Westphalia in particular, being discussed at the first session. They are, however, obliged to state that the French representative on the Allied Control Commission in Berlin will not be empowered to agree to any action prejudging that area's future until the question here raised has been discussed by the five Ministers and decided by the Council.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

*Memorandum by the United States Delegation to the Council of Foreign Ministers*¹¹

C.F.M.(45) 16

LONDON, 14 September, 1945.

SUGGESTED DIRECTIVE TO DEPUTIES FROM THE COUNCIL OF FOREIGN MINISTERS TO GOVERN THEM IN THE DRAFTING OF A TREATY OF PEACE WITH ITALY

I. TERRITORIAL PROVISIONS FOR ITALY IN EUROPE

1. The frontier with France would be unchanged, subject to hearing any case the French may present for minor rectification.

2. The frontier with Switzerland will remain unchanged.

3. The frontier with Austria would be unchanged, subject to hearing any case Austria may present for minor rectification in her favour.

4. The frontier with Yugoslavia should be substantially adjusted in favour of Yugoslavia to follow roughly the ethnic factor subject to necessary modification to preserve the essential economy of the local region. There is suggested the old Wilson line in part,¹² with certain modifications in favour of Yugoslavia in the north and in favour of Italy in the south. The modification in the north is primarily for ethnic reasons; the modification in the south is for both ethnic and economic reasons and would preserve for Italy coal and bauxite deposits which are important to her economic life.

The foregoing will give Trieste to Italy. It is suggested, however, that a substantial part of the port of Trieste be made a free port, administered by a commission containing representatives of the nations which use the port.

¹¹ The text of this memorandum was transmitted to the Department in telegram 9459, Delsec 15, September 14, from London, Telegram 9529, Delsec 18, September 16, from London, from the Secretary of State to the Acting Secretary read as follows: "Please prevent circulation in the Department or anywhere else of paper quoted in Embassy's 9459, September 14. My experience is that circulation means publication. The rules of the Council prohibit this and leakage must be avoided." (740.00119 Council/9-1645)

¹² For a description of the Italo-Yugoslav frontier proposed by President Woodrow Wilson in 1919, see *Foreign Relations*, The Paris Peace Conference, 1919, vol. v, p. 579.

5. The Dodecanese Islands will be ceded to Greece and demilitarized.
6. Italy will renounce all claims in relation to prewar Albania.
7. Pantelleria and Isole Pelagie will be demilitarized.
8. Zara and the Dalmatian Islands will go to Yugoslavia.
9. Saseno will go to Albania.

II. HUMAN RIGHTS

By the treaty Italy should voluntarily undertake to maintain a bill of rights which will correspond to the freedom of speech, religious worship, political belief and public meeting which were to be sought for Italy by the United Nations pursuant to the Moscow Declaration of November 1943 and also confirming the human rights and fundamental freedoms of the United Nations Organisation.

III. ITALIAN COLONIES

Libya will be granted independence at the end of ten years. In the interval it will be under a UNO trusteeship agreement. This will provide for an administrator with full executive power appointed by and responsible to the Trusteeship Council of UNO. To him will be attached an Advisory Committee of seven composed of representatives of the United Kingdom, the Union of Soviet Socialist Republics, France, Italy and the United States and a European and an Arab resident of Libya selected by the five governments named.

Eritrea will be accorded the same treatment as in the case of Libya, the Advisory Committee in this case, however, to include two residents of Eritrea appointed by the five governments. There will, however, be a territorial cession in favour of Ethiopia which will give Ethiopia access to the sea through the port of Assab.

In the case of Italian Somaliland, there will be a similar trusteeship arrangement, without, however, any fixed date for independence. There will be an administrator appointed by and responsible to the Trusteeship Council of UNO and an Advisory Committee including two residents of Somaliland in addition to the representatives of the five governments named.

In the case of all three colonial areas, the Security Council of UNO may, if it deems necessary, select strategic points for administration by it as strategic areas in the interest of world security.

IV. ARMAMENTS

1. The maintenance of armaments for land, sea and air will be closely restricted to the necessities of (a) maintenance of order in Italy; (b) such military contingents, if any, in addition to the foregoing as may be required by the Security Council.

2. The factory and tool equipment designed for manufacture of war implements which is not required by the permitted military establishments and is not readily susceptible of conversion to civilian purposes will be surrendered to the Four Powers for such disposition for reparations account or otherwise as they may determine.

3. A liberal attitude should be taken towards the production of aircraft and airplane engines for civilian use.

V. WAR CRIMES

Appropriate provision will be made, preferably by a separate protocol, to deal with the war criminals, return of prisoners of war, etc.

VI. REPARATIONS

The Italian Government will authorise each of the United Nations to take over and apply to their respective reparation claims such of the assets of the Italian Government (excluding diplomatic and consular premises) and of Italian nationals as are within the jurisdiction of the respective United Nations and the Italian Government will undertake to indemnify, in accordance with Italian law, the Italian nationals whose property will thus have been requisitioned. Subject to the provision above with respect to war-making machinery, each of the United Nations will limit its reparation claim against Italy to the amount which will thus be made available to it and each of the United Nations will be free to allocate that amount to the indemnification of the state or its nationals as it may determine as a matter of domestic policy.

In view of the fact that no general reparations claim will be made upon Italy, there may be given a right to recover identifiable property taken from a national of the United Nations; this right to be exercised through a commission composed of representatives of the Four Powers. There should also be a provision entitling a national of any of the United Nations owning property in Italy that has been damaged as a result of the war to secure the same indemnification as is accorded Italian subjects.

VII. ECONOMIC AND FINANCIAL MATTERS

There are a number of matters affecting future economic and financial relations which might be dealt with in the treaty of peace, but in view of the complexities raised by the large number of states involved, these might preferably be dealt with by separate commercial and financial treaties.

Budapest Legation Files : 711.9 Peace Treaty

Memorandum by Mr. Cavendish W. Cannon, Political Adviser to the United States Delegation at the Council of Foreign Ministers, to the Secretary of State ¹³

[LONDON,] September 14, 1945.

Subject: Soviet draft proposals for treaties with Rumania, Bulgaria and Hungary (and Finland).

Attached hereto are the texts of the Soviet proposals, to which are attached in turn the respective armistice agreements to which they refer.

General Comment. The Soviet proposals briefly amount to a project to compose treaties by lifting certain specified articles out of the armistice terms "subject to necessary drafting changes", to be used "*as a basis*" for the peace treaties, with the addition of one article which would incorporate paragraphs 1 and 9 of the Berlin decisions on reparations from Germany (German assets located in the respective countries), and the further addition of an article regarding membership in the UNO and cooperation for the maintenance of peace.

It is hard to find in this project anything which meets our ideas of what a peace treaty should be. The necessary "drafting changes" would be so considerable that the most that can be said for it is that it gives an idea of the topics to which the Soviet Government attaches special importance, i.e., the project may be considered as an outline of the Soviet desiderata. In effect it reserves to the Soviet Government, and gives a permanent character to, all the advantages of the

¹³ A memorandum of October 11, 1945, from Leslie Squires, Secretary of the American Mission in Hungary, for H. F. Arthur Schoenfeld, the Representative in Hungary, throws some light on the origin of this memorandum to the Secretary. Mr. Squires, who arrived in London on September 13 to work with the United States delegation to the Council of Foreign Ministers, wrote in part as follows:

"My opinion on preliminary analysis of the proposals referred to above [C.F.M. (45) 4, September 12, p. 147] was that they represented a bilateral peace treaty between Russia and Hungary in which other Allied nations would have little or no part. The effect of the proposals would be to continue the conditions of the armistice period without even the nominal American participation provided under the ACC.

"It appeared to me that the proposal, and the similar proposals submitted in the case of Rumania and Bulgaria, would eliminate American participation in the reconstruction of the Balkans and would guarantee to the USSR an even more important role than her physical position and power would insure.

"This opinion was confirmed by further consideration and was found to be identical with that of Mr. Berry, as regarded Rumania, and Mr. Barnes, as regarded Bulgaria.

"In a discussion with Mr. Barnes, Mr. Berry and Mr. Cannon it was agreed that urgent steps would have to be taken to impress the Secretary and his advisers with the reality of the Soviet 'trap' and the necessity of preventing acceptance of the Soviet proposals." (Budapest Legation Files: 711.9 Peace Treaty)

surrender instruments, thus substituting, particularly in the case of Hungary, bilateral arrangements (economic topics) for the present method where at least some small measure of joint Allied participation exists.

It may be that in presenting a document which in appearance would simplify the preparation of the treaties the Soviet Government hopes to obtain earlier and more expeditious handling of the Balkan treaties, with priority over the more elaborate procedure contemplated for Italy. From this point of view the presentation of these proposals is a manoeuvre rather than a serious set of principles for permanent good relations with these states.

It should be noted, of course, that the armistice agreements did in fact cover various points somewhat in excess of the military necessities of surrender.

Presumably the Soviet troops would be withdrawn and military control terminated, as inherent in the acceptance of a treaty. There is no definite provision for this, and the continuance of Soviet organs of control, for the fulfilment of reparations obligations or supervision of disarmament, for example, may amount to an undercover control not much less effective than the open presence of troops.

The acceptance of anything along these lines would have the effect of confirming the present situation under which these countries are under effective Soviet domination and would mean the abandonment of the opportunity for establishing democratic governments in these countries. Moreover, from the viewpoint of direct American economic interests, the proposals would make no effective provision for the settlement of substantial claims and debts owed to us by these countries, including those arising from Soviet removals of American property. There is still another economic consideration, namely, whether treaties of this type would constitute an abandonment of the agreement reached in principle at Potsdam for equality of economic opportunity in these countries.

A good idea of the Soviet proposal can be got from assembling the articles, taking *Rumania* as an example. The Soviet draft would then look something like this:

Article 1. Redraft of Article 1 of the armistice, presumably as a sort of preamble.

Article 2. Article 4 of the armistice, acknowledging the transfer of Bessarabia and Northern Bukovina to the U.S.S.R. We would probably not be in a position to have this question re-examined.

Article 3. This would retain Article 5 of the armistice (prisoners of war, displaced persons) which seems hardly necessary in a peace treaty and which incidentally *perpetuates* the authority of the Soviet High Command.

Article 4. This would be Article 6 of the armistice (release of persons friendly to the Allies and removal of discriminatory legislation). Hardly necessary in a treaty if these obligations were effectively discharged during the armistice regime.

Article 5. This would be Article 9 of the armistice (Rumanian ships). The present language is really applicable chiefly to the period of hostilities against Germany and Hungary.

Article 6. This is the reparations article (Number 11 of the armistice). The Soviet Union is the sole beneficiary of the amounts now fixed, other Allied states to receive compensation for losses, the amounts "to be fixed at a later date".

Article 7. This is the restitution article (Number 12 of the armistice). The Soviet Union being the sole beneficiary.

Article 8. This is a more general restitution article, (Article 13 of the armistice, for "legal rights and interests of the United Nations"). This could be combined with Article 7.

Article 9. (Article 14 of the armistice). Collaboration for prosecution of war crimes.

Article 10. (Article 15 of the armistice). Dissolution of Fascist organizations. This Article contains a phrase making particular mention of the Soviet Union which we tried unsuccessfully to have modified at the time of the armistice negotiation.

Article 11, would be a new provision, incorporating paragraphs 1 and 9 of the Berlin decision concerning the use of German assets in Rumania for reparations. In the final draft it would probably follow the other reparation article.

Article 12, a new Article (probably to be inserted after the territorial provisions of Article 2) would provide for the transfer to Rumania of the whole of Transylvania. The armistice (Article 19) used the language "Transylvania or the greater part thereof . . ." subject to confirmation at the peace settlement. We should prefer to leave certain border districts within Hungary, for which excellent arguments can be adduced.

Article 13, a new text, would provide for supporting Rumania's candidacy for membership in the UNO, with a Rumanian obligation to cooperate in measures for the maintenance of peace.

As for the Articles of the armistice which are *not* carried over into the treaty draft, Articles 2, 3, 7, 10 and 17 are obviously identified with the surrender and subsequent military operations against Germany. Article 8 is replaced by the new Article 11. Article 16 was a censorship provision which of course could not be made permanent. Article 18 was the provision for the Allied Control Commission which thus goes out of existence with no provision for subsequent supervision of Rumania except as reserved to the Soviet Union under the agreements for reparations, etc.

The Rumanian treaty would also include an article taken from the protocol which accompanied the armistice. The text found on file in London is the first draft of the protocol, and may not be exact. This is in process of verification.

The treaty would make no mention of armament limitation, except as Article 1 mentions the "not less than 12 infantry divisions with corps troops" to be used against Germany, which provision is now patently obsolete, though for some reason it is retained.

On this matter it is important to note that the *Bulgarian* treaty likewise does not provide for armament limitation, whereas the treaty with Hungary is obscure on this point, since it takes over an armistice provision for demobilization and "peace footing", though the Soviet authorities are showing special interest in the development of the "new" Hungarian army.

740.00119 Council/9-1445 : Telegram

The Acting Secretary of State to the Secretary of State, at London

WASHINGTON, September 14, 1945—8 p. m.

8019. Secdel 54. Following telegram recd from AmLegation Addis Ababa re Ethiopian territorial claims

"233 Sept 12, 9 a. m. Further note from Foreign Office received September 10 re territorial claims, historical justifications for which based on various Italian aggressions during past 50 years and racial considerations are set forth in appended memorandum. Latter closes with expression of confidence that pursuant previous request addressed five powers Ethiopian Government will 'have the opportunity of participating at the conference of London in the discussion of the future of the former Italian colonies of Eritrea and Somaliland, at which time they will present the reasoned basis of their claims'. Identic memoranda said [*were?*] addressed USSR, UK, France, and China. Text being forwarded.¹⁵

During interview September 10 Vice Minister Foreign Affairs¹⁶ expressed strong hope US Government support of these claims. Cole."

Following telegram, no. 235, Sept. 13, 9 a.m., also recd from Addis Ababa.

"As Ethiopian Govt has learned from press that Yugoslav Minister of Foreign Affairs is preparing to attend London Conference Spencer requests information re status of any plans for its representation there. Cole."

Following telegram is being sent to Addis Ababa in reply

¹⁵ The undated memorandum from the Ethiopian Ministry for Foreign Affairs was enclosed in its note No. 4161/50, September 8, 1945, to Chargé William E. Cole, Jr.; both were transmitted to the Department as enclosures to despatch 511, September 10, from Addis Ababa, received in the Department on September 27 (none printed).

¹⁶ Ato Aklilou Abte Wold.

"The Dept is taking note of the Ethiopian Government's request and is forwarding it to the Secretary of State in London."¹⁷

ACHESON

Council of Foreign Ministers Files : Lot M-88 : CFM 1945 London Minutes

*Record of the Fifth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 15, 1945, 3 p. m.*¹⁸

C.F.M.(P) (45) 5th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper
Sir N. Charles

U.S.A.

Mr. Byrnes
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault (Chairman)
M. Couve de Murville
General Catroux
M. Alphand

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. POLAND

M. Molotov said that the Polish Provisional Government had addressed a note to the Soviet Delegation about the Arciszewski Government, and he understood that a note in similar terms had been addressed to all the other Governments represented on the Council of Foreign Ministers.¹⁹ The Polish Provisional Government had asked that the representations made in this note should be considered by the Council of Foreign Ministers during this Conference of the Council of Foreign Ministers, and the Soviet Delegation wished to support that request.

The representatives of other Delegations said that they had not clearly in mind the points raised in this note from the Polish Provisional Government; and M. Molotov undertook to circulate copies of this note to his colleagues.

The Council agreed to consider at their next meeting whether these representations by the Polish Provisional Government should be considered by the Council during the present Conference.

¹⁷ Message quoted in this paragraph is telegram 171, September 14, 8 p. m., to Addis Ababa. On the morning of September 15, the Department received telegram 239, September 14, 5 p. m., from Addis Ababa, which reported on Chargé Cole's interview on September 14 in the course of which Vice Minister of Foreign Affairs Aklilou stated that Emperor Haile Selassie sought assurance that the Ethiopian Government would have an opportunity to state its views before the Council of Foreign Ministers before any territorial decisions were taken (740.00119 Council/9-1445).

¹⁸ For text of the communiqué issued by the Council of Foreign Ministers after this meeting, see Department of State *Bulletin*, October 14, 1945, p. 565.

¹⁹ For text of the note from the Polish Provisional Government of National Unity to the Secretary of State, dated September 8, see vol. v, p. 366.

2. ITALY: PROCEDURE FOR PREPARING PEACE TREATY
(Previous Reference C.F.M.(P)(45) 3rd Meeting, Minute 4)

At their meeting on 14th September the Council had agreed that the Governments of all the United Nations who were at war with Italy should be invited to express their views in writing on the peace settlement for Italy.

M. BIDAULT proposed that he should send a letter to the representatives of these Governments in the following terms:—

“The Council of Foreign Ministers, now in Session at Lancaster House, has decided to invite the Governments of the United Nations who have been at war with Italy and who are not represented on the Council, to present to it, in writing, their views on the aspects of the peace settlement with Italy which are of a nature to be of interest to them.

I have therefore been instructed, in my capacity as Chairman of this meeting of the Council of Foreign Ministers to invite your Government to express their views on this question, if they desire to do so. The Council requests that these communications should reach it before the 1st October.”

He suggested that a letter in these terms should be sent to the Governments of the following countries:—

Australia, Belgium, Bolivia, Brazil, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Iraq, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Philippines, South Africa, Yugoslavia.

M. Molotov suggested that this invitation should also be sent to the Governments of Poland, Byelo-russia and Ukraine.

After discussion, the Council:—

(1) Agreed that an invitation in these terms should be sent to the countries listed above and also to Poland, Byelo-russia and the Ukraine;

(2) Invited M. Bidault to verify that the above list included all members of the United Nations who were at war with Italy, and authorised him to send an invitation in these terms to the Government of any of the United Nations at war with Italy which was not included in the above list;

(3) Agreed that M. Bidault should send these invitations, wherever possible, through the representative in London of the Government concerned.²⁰

²⁰ Replies to M. Bidault's invitation were received from Australia, Belgium, Brazil, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, El Salvador, Ethiopia, Greece, Guatemala, India, Iraq, Luxembourg, Mexico, Netherlands, Poland, South Africa, and Yugoslavia. These replies were circulated to the Council. A message from the President of the Philippines sent through the Department of State expressed appreciation for the invitation but stated that the Philippine Government had no suggestions to offer. None of these messages are printed.

3. REPARATIONS FROM GERMANY

(Previous Reference C.F.M.(P) (45) 4th Meeting, Minute 2)

The Council agreed that the memorandum on this subject (C.F.M. (45) 15) ²¹ which had been submitted by the Soviet Delegation should be added at the end of the items included in the Agenda for the present Conference of Foreign Ministers.

4. ITALY: DISPOSAL OF ITALIAN COLONIES

(Previous Reference C.F.M. (P) (45) 4th Meeting, Minute 4)

The Council resumed their discussion of the proposals in Section III of the memorandum by the United States Delegation (C.F.M.(45) 16) ²² on the disposal of the Italian Colonies.²³

MR. BEVIN said that the British Government had given further consideration to this question in the light of the views expressed at the last meeting of the Council. They could not agree to the proposal that the Soviet Government should assume trusteeship of Tripolitania. As he understood it, the Soviet Delegation had based their claim on the number of Italian divisions which had fought in Russia and the damage which they had inflicted there. But long before that time the British Commonwealth had been at war with Italy. South Africa had a vital interest in the future of the Italian Colonies. In the last war the South African people had joined in driving the Germans out

²¹ *Ante*, p. 175.

²² *Ante*, p. 179.

²³ The American minutes of the fifth meeting record the following discussion regarding the question of whether the matter of the Dodecanese Islands should be linked with the question of the Italian colonies:

"BIDAULT said it was necessary to record that the question of the Dodecanese was linked up with the discussion of the Italian colonies. They could now continue the discussion of one or both of these questions.

"BYRNES said the question of the Dodecanese was passed at the request of the Soviet Delegation without specific agreement that it be considered as a part of the question of Italian colonies. However, as the question of the Dodecanese was number 5 on their list, it might properly be considered first.

"MOLOTOV said at first that he had no objection, but then revealed that he had misunderstood the proposal.

"BYRNES did not think the question to be of vital importance. The Dodecanese had been temporarily passed over at the request of the Soviet Delegation, but it had not been decided that it was to be examined as part of the question of Italian colonies. If the Soviet Delegation wished this question to be deferred until after they had completed the Italian colonies, he would agree. All he said was that he did not consider it a colony, and it should not be discussed as such.

"MOLOTOV did not want the question postponed but said that since they had started discussing the Italian colonies, he did not see why they should interrupt that discussion and turn to the Dodecanese. He agreed with Mr. Byrnes that the Dodecanese was not a colony, and he had heard no one try to prove that it was. He suggested that the question of the Dodecanese and the question of the colonies be considered together, not as one question but as two. The reason for this was that it was a matter of taking away territories which belonged to Italy. He suggested that they continue their discussion of the Italian colonies and then turn to the Dodecanese. The United States, Soviet, and Chinese Delegations had expressed their views on the Italian colonies, but the British and French Delegations had not yet expressed their final views." (740.00119-Council/9-1145)

of Africa. In this war again they had had to join in driving Italy from Africa. They could not look with favour on any arrangement which might place them in a similar position in the future. The British Government had supported the Soviet Government in its claims for adjustments of her western frontier, and in other settlements which had since been made. In view of the vital interest of the British Government in the North African area, he was very much surprised that the Soviet Delegation had put forward this claim in respect of Tripolitania. The British claims in that area had been put forward on the same basis as had Russian claims in Eastern Europe, namely security—a perfectly legitimate basis. All that the British Delegation proposed was that Italy should renounce all her possessions in Africa and that she should accept the arrangements made for the disposal of these territories, including questions of nationality, and that finally she should recognise in the Treaty the right of the four Powers to be responsible for the administration of those territories pending their final disposal.

In view, however, of the discussion which had taken place on the Council and the need to determine the final destiny of these Colonies at the same time as they were ceded by Italy, the British Delegation were prepared to accept the proposals outlined in the memorandum by the United States Delegation (C.F.M.(45) 16), subject to certain modifications.

One of these modifications related to Italian Somaliland and Eritrea. The British Delegation did not wish to be tied to the exact proposal put forward in the United States paper. While they agreed that Abyssinia needed an outlet to the sea, they would like the whole future of this area to be examined by the Deputies with particular regard to the economic problems of Abyssinia, Eritrea and Somaliland. If the matter were approached with an open mind and the possibility of territorial adjustments accepted, then other arrangements might be devised which would be more likely to promote the economic development of these territories and the betterment of their peoples. Broadly, therefore, he accepted the principles set out by Mr. Byrnes for the trusteeship of Somaliland but suggested an alternative geographical formula.

Should it be agreed to refer the matter to the Deputies to work out on such a basis, he would ask that the Governments of the British Dominions and India, who were vitally affected, should be entitled to express their views.

Finally, he would ask that the Deputies should consider the details of the plan, e.g. the character of the trusteeship administration, the functions of the administrator, the question of co-religionists in adjacent territories, the functions of the Advisory Committee. Such a

trusteeship would be a heavy liability and he assumed that the cost would be borne collectively by the States collectively responsible for the trusteeship. The Deputies should also work out the relationship between the administrator and the Advisory Committee and their report should contain the detail of a practical working plan for carrying out the project outlined in the memorandum by the United States Delegation.

The British Delegation joined in supporting the proposal put forward by the United States Delegation with a view to avoiding friction between the Great Powers in these areas. It would afford an opportunity for a great experiment in international co-operation.

MR. BYRNES said that he would like to express his sincere appreciation of the support given to his proposals by Mr. Bevin. He readily agreed that the Deputies should examine the area in order to see whether any alternative geographical arrangement would be likely to produce more satisfactory results from the economic point of view. He agreed that some arrangement would have to be made for sharing the cost of administration; and the United States Government would gladly bear their share. He also agreed that the Deputies should work out a detailed practical plan as suggested by Mr. Bevin. The administrator should, he thought, be appointed under the same conditions as would be the Secretary General of the United Nations organisation. In that case the Charter provided that neither the Secretary General nor his staff should take orders from any one of the United Nations.

Such a system of trusteeship would, of course, be an experiment; but it would be an effort to continue that unity of purpose which had enabled the United Nations to win the war.

M. BIDAULT said that M. Molotov had pointed out that the views expressed by the French Government on this question were only provisional. That was true; but there was a French proverb "Only the provisional lasts". Mr. Bevin had alluded to the vital interest of the British Commonwealth in the future of the Italian Colonies. France also had a vital interest—in the full meaning of the word—in Africa, especially in North Africa. The Constitutional Assembly of France, which would shortly meet, would contain a number of Moslems, either Arabs or coloured people; and France could not be charged with pursuing in this respect "colonial" aims. Essential French interests were at stake, which must be defended and would be defended.

France was the first of the United Nations to be attacked by Italy; and the whole French people remembered Italian air attacks on innocent victims on their highways and the fate of their prisoners in the gaols of the O.V.R.A.²⁴ There was, however, a difference be-

²⁴ Secret police of the Italian Fascist regime.

tween Italy, which had turned in the end and helped in the fight against Fascism, and Germany, which had persisted to the end in her support of the Fascist system. It would not be in the best interests of Europe that Italy should be entirely stripped of all the positions [*possessions?*] which she had held before the beginning of the Fascist regime. Such an action would give Italy, which was already disposed to develop an inferiority complex, new grounds for complaint. He would now try to point out how that could be avoided.

All the Delegations had now expressed their views. All their proposals centered round trusteeship. The principle of trusteeship had been accepted at San Francisco but the details had not yet been worked out. There were differences even between the proposals put forward by the British and the United States Delegations. The Soviet Delegation preferred individual trusteeship by a single State. The French Delegation thought it better, after some necessary adjustments had been made, to give the trusteeship of these territories to the new democratic Italy. In view of these difficulties the British and United States Delegations favoured the application of collective trusteeship to these territories. Whatever system was finally adopted, it must follow the principles of trusteeship laid down at San Francisco. This implied that no limit should be set to the period of trusteeship; and particularly for these territories he saw no special urgency for terminating the trusteeship. International trusteeship was at present only a theoretical conception: it had not been worked out in detail. The French Government could not accept the application of international trusteeship to these territories until they were fully informed of its implications, especially as these territories were adjacent to a part of the French Empire which was one of vital concern to France. It was admitted that the details of the United States plan would have to be worked out by the Deputies. He would prefer that the whole problem should be referred to the Deputies; and, if this was agreed he could assure the Council that the French Delegation would co-operate whole-heartedly in assisting the Deputies to find a solution. He was not, however, prepared to commit himself in advance to any particular plan.

M. Molotov hoped that the Council would give to this problem the same close attention as it had received from the Soviet Government. He wished to comment both on the specific question most closely affecting the Soviet Union—the administration of Tripolitania—and also on the general principles of the trusteeship. The Soviet Government considered the future of Tripolitania as of primary importance to the Soviet people, and they must press their request to assume the trusteeship of that territory. The Soviet Government claimed a right to active participation in the disposal of the Italian Colonies, because

Italy had attacked, and had inflicted enormous damage upon, the Soviet Union. No member of the Council considered that the Italian Colonies should be left to her on the pre-war basis. The territory of the Soviet Union was vast, stretching from the extreme east far into the west. It had a sea outlet in the north: it must also have the use of ports in the south, especially since it now had the right to use Dairen and Port Arthur in the Far East. The Soviet Government had no intention of restricting in any way the facilities available to the British Commonwealth for maintaining communications with all parts of the world. But Britain should not hold a monopoly of communications in the Mediterranean. Russia was anxious to have bases in the Mediterranean for her merchant fleet. World trade would develop and the Soviet Union wished to take her share in it. Further, as he had stated the previous day, the Soviet Government possessed wide experience in establishing friendly relations between various nationalities and was anxious to use that experience in Tripolitania. They would not propose to introduce the Soviet system into Tripolitania. They would take steps to promote a system of democratic government—though not, he added, on the lines which had recently been followed in Greece.

The purpose of trusteeship was, he believed, to ensure the development of a smaller territory by a large State. Such a large State could play a most useful role; but if it lacked a proper sense of responsibility there was a danger that the economic development of the territory would be hindered.

The Soviet Delegation adhered to the decisions taken at San Francisco, both on collective trusteeship and individual trusteeship under the control of the Trusteeship Council. It was necessary, however, to use caution in the first experiments in applying trusteeship. Mr. Byrnes had counselled caution at the previous meetings, but today appeared to be convinced of the practicability of international trusteeship and had urged rapid action. The Soviet Delegation, on the other hand, was very mindful of the need for care in these early stages. If the results of the early experiments were unfavourable, it would affect all future arrangements made under the trusteeship system. The United States proposals contained the elements both of individual trusteeship and of collective responsibility. They provided for a single administrator and an Advisory Committee. There was, however, a Russian saying that "if a child has seven nurses it won't be looked after at all".

The United States Delegation seemed to like the principle of collective trusteeship, but would this principle be applied elsewhere? Was there any example of its having been applied before in some Colony or Mandated territory? If there were a good example, the

Russians would try to follow it, but in the absence of such an example they had to be careful.

In conclusion M. Molotov said that he was prepared to agree to the question being referred to the Deputies but he made the same reservation as M. Bidault, namely, that the Deputies should not be bound by any particular scheme.

DR. WANG said that one of the most essential features of the United States' plan was the fixing of a time limit for the completion of preparations for the independence of the territories to be placed under trusteeship. The Chinese Delegation was very anxious that this principle should be preserved in any plan that resulted from discussion by the Deputies. Otherwise one of the chief merits of the American proposal would be largely spoiled.

M. Molotov agreed.

MR. BYRNES said that he was quite agreeable to his proposals being submitted to the Deputies for consideration, together with the amendments suggested by the British, and he thought that the Deputies should report back to the next Session of the Council. They could be instructed to receive suggestions from any qualified source as regards details and if, after consideration, they could not reach agreement a minority report could also be made for consideration by the Council. He suggested that the terms of reference for the Deputies should be as follows—"The matter of Trusteeship for the Italian Colonies shall be referred to the Deputies to work out the details along the general lines of the United States' draft. The Deputies may however recommend such concrete territorial, economic or political changes as they may agree upon. In the absence of such agreement as to changes, they shall base their report upon the American proposals, making such individual reports to the Council as they may respectively deem helpful."

As a result of suggestions made by M. Bidault and M. Molotov these terms of reference were modified as shown in the conclusions below.

After further discussion the Council:—

(1) Agreed that the disposal of the Italian Colonies should be referred to the Deputies with the following terms of reference:—

"The matter of trusteeship for the Italian Colonies shall be referred to the Deputies to work out the details, making the widest use possible of the proposals of the United States Delegation and taking into account the views expressed by the other Delegations. The Deputies may however recommend such concrete territorial, economic, or political changes as they may agree upon. In the absence of such agreement as to changes, they shall base their report upon the American proposals, making such individual reports to the Council as they may respectively deem helpful."

(2) Invited the Deputies to present their report on this question to the Governments members of the Council not less than 14 days be-

fore the opening of the next Plenary Conference of the Council of Foreign Ministers.

(3) Agreed that the Deputies should have discretion to hear the views on this question of any of the Governments which had been invited to express their views to the Council in writing on the terms of the peace settlement with Italy (see Minute 2 above) though no fresh invitations need be issued asking for an expression of views on this particular aspect of the settlement.

5. DATE OF NEXT MEETING

The Council agreed that their next meeting should be held on Monday, 17th September at 11 a. m., when they would resume their discussion of the memorandum by the United States Delegation on the Italian Treaty (C.F.M. (45) 16).

740.00119 Council/9-1645

Memorandum of Conversation, by Mr. Charles E. Bohlen, Special Assistant to the Secretary of State

[LONDON,] September 16, 1945.

Participants: The Secretary
Mr. Bohlen
Mr. Molotov
Ambassador Gusev
Mr. Pavlov

THE SECRETARY opened the conversation by saying that he had asked to see Mr. Molotov in order to talk with him privately before the question of the Balkan treaties came before the Council of Foreign Ministers. He said it was essential for the future of the world that our nations continue to cooperate, and that if we had any differences of view, we should talk them over together and endeavor to adjust our disagreements in such a way as to preserve our unity of purpose. He said he wished to emphasize that the United States is not interested in any way in seeing anything but governments friendly to the Soviet Union in adjacent countries.

MR. MOLOTOV replied that he must tell the Secretary that they did have doubts, and it would not be honest to hide it.

THE SECRETARY replied that it was essential that these doubts be removed, and that he was prepared to do it.

MR. MOLOTOV replied that the doubts of the Soviet Government arose from the attitude of the United States and Great Britain in the case of Rumania. For example, when the Radescu Government,²⁵ which was hostile to the Soviet Union, was in power in Rumania, it

²⁵ Gen. Nicolae Radescu, Rumanian Prime Minister, December 1944 to March 1945.

received British and American support, but when the Groza Government, which was friendly to the Soviet Union, was established both the United States and Great Britain withdrew their support.²⁶

THE SECRETARY remarked that after the Yalta Conference and the adoption of the agreement on liberated Europe²⁷ he had returned to the United States in the role of a missionary of peace and had explained these agreements to members of Congress and the Senate. He said they had been warmly received in the United States as an indication of our ability to find a common policy. Subsequently, however, when nothing was done about Poland the American people got the idea that these agreements had been violated by the Soviet Government. He added that our Government knew that it was the result of an honest misunderstanding; but, nevertheless, the people were unable to understand why no progress was being made. Following Mr. Hopkins' visit to Moscow,²⁸ however, and the reorganization of the Polish Government which permitted us all to recognize it,²⁹ there had been a great improvement in public opinion in the United States in regard to the Soviet Union. The Polish agreement was warmly welcomed, and everyone was satisfied with the compromise reached. He went on to say that he realized our habits were different, and it was up to all of us to be tolerant of the habits of others. He asked Mr. Molotov to look at the question from this point of view and from what he knew of the feeling of the people of the United States. He said he thought that if he looked at the matter in this light he would understand why our people had doubts about the Groza Government. For example, we knew that shortly after the Yalta Conference our good friend Mr. Vyshinsky had given the King of Rumania two hours to install Groza as Prime Minister.³⁰ Since that time the Groza Government had done a number of things, such as excluding the press, and their treatment of American representatives, which had con-

²⁶ Petru Groza, Rumanian Prime Minister from March 6, 1945; for documentation regarding the attitude of the United States toward the governments of Radescu and Groza, see vol. v, pp. 464 ff.

²⁷ For text of the Declaration on Liberated Europe, see section V of the Report of the Crimea Conference, February 11, 1945, *Foreign Relations*, The Conferences at Malta and Yalta, 1945, p. 971.

²⁸ Harry L. Hopkins, Special Assistant to the President, held a series of meetings with Marshal Stalin and his advisers from May 26 to June 6, 1945; for documentation on the mission, see *Conference of Berlin (Potsdam)*, vol. I, pp. 21-62.

²⁹ The United States recognized the Polish Provisional Government of National Unity on July 5, 1945; for documentation regarding the recognition, see *ibid.*, vol. II, pp. 714-749; for documentation regarding the negotiations between the United States, the United Kingdom, the Soviet Union, and the Polish regimes in London and in Poland regarding the formation of a Polish Provisional Government of National Unity, see *Foreign Relations*, 1945, vol. v, pp. 110 ff.

³⁰ For a report on the meeting between King Michael of Rumania and Soviet Deputy Foreign Commissar Andrey Yanuaryevich Vyshinsky on February 28, 1945, see telegram 146, February 28, from Bucharest, *ibid.*, p. 487.

firmed these doubts as to the character of the present Rumanian Government.

MR. MOLOTOV said he understood that correspondents were now permitted in Rumania, and he had seen a State Department announcement to that effect.

THE SECRETARY said that formal permission had been received, but that it had been many, many months in coming; that fourteen correspondents had applied for visas, and that many of them had become discouraged and had gone elsewhere. He added that there were now two American correspondents in Bulgaria who had at last received permission to go to Rumania, but only three days ago he had been informed that the Bulgarian Government would not let them leave Bulgaria for Rumania. He said it was very difficult for him to explain these events to the American people.

MR. MOLOTOV said that the question was one of friendly governments, and that he was sure, for example, that if Mexico had been at war with the United States and had invaded it, and for two years occupied a part of the United States, that the American Government would not tolerate in Mexico a government hostile to it.

THE SECRETARY said he agreed, and referred to his statement of our desire to see friendly governments in these areas adjacent to the Soviet Union. He said what he wished [to] plead for was some arrangement which would permit the Rumanian Government to be both friendly to the Soviet Union and at the same time representative of all democratic elements in the country. He said that he felt that these two considerations were not irreconcilable, and inquired whether it would not be possible to proceed as we had in the case of Poland.

MR. MOLOTOV replied that he did not think the Polish precedent could be applied in Rumania, as it was too dangerous. He felt it might lead to civil war there, and that in any case the situations were different, since Poland had been an ally, and there had been two governments in existence. He said, for example, if Radescu had stayed on in Rumania, he felt there was a real danger of civil war. He added that the Soviet Government had taken note of the fact that the British had given refuge to Radescu. He repeated that no self-respecting government could tolerate the existence of a hostile government in a country which it had defeated. He said that in the case of the Bulgarian elections the Soviet Government had met the wishes of the United States and Great Britain. He said in Rumania he felt it would be better to wait until the elections were held, and a new government installed. He said categorically that in the view of the Soviet Government no reorganization of the present Rumanian Government was possible until after these elections.

THE SECRETARY repeated that the United States did not desire to see hostile governments in these countries and said again that he

found it impossible to believe that a temporary Rumanian government could not be formed which would be both friendly to the Soviet Union and also representative of the people. He said that such a temporary representative government could then hold the elections, and the world would accept the results as those of a fair election. He said he felt that the Soviet reputation would be greatly enhanced throughout the world if this were done. He added that the United States was not interested in any particular party or individual, and repeated his suggestion that some solution along the lines of that adopted in Poland would be the best.

MOLOTOV inquired whether all parties were represented in the British and American Governments.

THE SECRETARY replied "No", but in Rumania they were speaking of a temporary government, and not one based on elections. He said that he was afraid because of the manner in which the Groza Government had been established, and its subsequent actions that any election held under its auspices would be suspect in the eyes of the American people.

MR. MOLOTOV inquired whether we were not asking for a change in the present government of Greece before the election, since it was well known that this government had not lived up to its agreement and did not enjoy support from the Greek people, whereas in Rumania the majority of the people were satisfied with the Groza government, and only a small minority did not like it. He inquired what was the reason for this difference in attitude.

THE SECRETARY replied that it was a question of the facts. He said in Greece correspondents had been allowed to go in and move about freely and report without censorship what they saw; that as a result the American public were fully informed about Greece and felt on a basis of these reports that the situation was not that expressed by Mr. Molotov. In Rumania, however, correspondents had not been allowed any such facilities and the actions of the Groza government in this respect had led the American people to believe that the government was not representative of the people.

MR. MOLOTOV said that apparently in Greece the correspondents were happy, but the people were not; whereas in Rumania the people were happy, but the correspondents were not. He said the Soviet Government attached more importance to the feeling of the people. He proposed that they should endeavor to work out with the Rumanian Government conditions which would permit the American correspondents to do their work properly; then in Rumania everyone would be happy, the people and the correspondents.

THE SECRETARY said that he had just recently received information from one of our leading news agencies, from the Herald-Tribune

newspapers, which had correspondents in Rumania, to the effect that they had received word from these correspondents that the censorship was so heavy in Rumania that their outgoing dispatches should not be regarded as descriptive of conditions in Rumania; that when they left Rumania they would be able to write the true story.

MR. MOLOTOV replied that he thought that we could come to a general agreement with the Rumanian Government on the improvement of these facilities.

THE SECRETARY replied that it did not require any general agreement, but merely decision on the part of the Soviet Government.

MR. MOLOTOV said they were ready to have it.

THE SECRETARY said he had come to see Mr. Molotov to talk over these matters privately, since we felt it was better to try to thrash them out in that manner than to make statements and hold discussion at the big meeting in the presence of so many people. He said that when the question of the Rumanian and Bulgarian treaties came up at the Council he would be forced to say that the United States could not conclude treaties with the existing governments of those countries since we did not regard them as sufficiently representative. He said if he did sign such a treaty with these governments, when it came before the Senate for ratification he would be asked why he had done so, and whether he was able to assure the Senate that these governments were really representative of their countries. He would be forced to say that he knew very little of the conditions in those countries, and there was a very good chance that the Senate would refuse to ratify.

MR. MOLOTOV answered that in order not to complicate matters the Soviet Government had agreed to meet the wishes of the British and Americans in hastening the conclusion of the peace treaty with Italy, and that it did not see any reason except an artificially induced one for delaying the peace treaties with Bulgaria, Rumania, Finland, and Hungary. He said it was not a question of signing these treaties now, but merely doing the preliminary work; the signature could wait until after the elections in these countries. He repeated that they could see no reason for delay, particularly as the matter of these treaties was less complicated than the one with Italy. The Soviet Government had suggested turning the armistice arrangements into peace treaties and proposed no new clauses or conditions in this connection. This should simplify the matter since all three Governments had signed the armistice terms. He said that if the United States refused to consider these treaties, which, according to his proposal, would contain nothing new, a very bad impression would be created in wide circles of Soviet public opinion. It would be felt in the Soviet Union that the United States Government wished to see

governments unfriendly to the Soviet Union in these countries. He mentioned that the King of Rumania had told them that he was satisfied with the Groza government, but that he had said only the British and the Americans were not.

THE SECRETARY pointed out that the King had been the one to request the change of government, and he certainly had nothing to fear from the United States in a situation where the Red Army was all around him.

MR. MOLOTOV replied that the King had taken this step in the face of a British and American demand and as a result of pressure which their representatives had exerted on him.

THE SECRETARY replied that he had seen some statement to that effect from some official or other, but that our representative categorically denied it, and as everyone knew, he did not lie.

MR. MOLOTOV said that the United States and the United States representative were at least acting in that general spirit.

THE SECRETARY reviewed his previous statements in regard to the governments of these countries, and said that it would be impossible for him to defend the Soviet position before American public opinion if the Groza government remained unchanged and held the elections. He said that frankly the American people would not believe the results of the election held under such auspices.

MR. MOLOTOV said what kind of a press was it that did not criticize the Greek Government and did that of Rumania? He said he felt that the press should be told to criticize the Greek Government which was not founded upon democratic bases.

THE SECRETARY repeated that there was no censorship in Greece, and that he had not heard one complaint of any interference with the work of our correspondents there, and in view of this freedom, the American people had not received the same impression of the Greek Government as they had of the Rumanian.

MR. MOLOTOV replied that he had already said that the Soviet Government was ready to help obtain for the correspondents the proper facilities for their work in Rumania.

THE SECRETARY repeated that when these treaties came up for consideration he would have to make a statement at the time that the United States would not sign treaties of peace with these governments. They felt it should be possible to establish a more representative government in Rumania which at the same time would be friendly to the Soviet Government but which could hold elections that the entire world could accept as genuine.

MR. MOLOTOV said that the Soviet Government would not regard this as a very friendly action on the part of the United States. He

repeated that his Government did not consider that the Polish precedent could be applied in the case of Rumania.

THE SECRETARY pointed out that once the agreement with Poland had been reached it had worked out very satisfactorily. He added, however, that we would have no objection to considering these treaties, provided it was clearly understood that the United States was not going to sign the treaties of peace with these governments. He said he thought the question of consideration might be referred to the Deputies who, as in the case of the Italian treaty, might be authorized to go to the spot to examine any territorial questions. This would take some time, and there would be an opportunity for the Soviet Government to think the whole matter over.

MR. MOLOTOV said that he thought after the election there might be a possibility of reorganizing the Rumanian Government.

THE SECRETARY replied that he did not see how this could be done as it would be an elected government and not a provisional authority. He repeated his statement that if the Groza government conducted the elections, they would probably not be believed, no matter what the result.

MR. MOLOTOV answered that if greater facilities for the correspondents could be obtained, they could observe and report on the elections. He added that the situation was calm in Rumania, and that he thought we should help the Rumanians to hold these elections so that they could devote their undivided attention to the difficult economic situation.

MR. MOLOTOV then said he had another question he would like to take up with the Secretary. He recalled that at San Francisco Mr. Stettinius had assured Ambassador Gromyko that the United States was prepared to support the Soviet Government in its request to receive a territory for administration under trusteeship.³¹ He added that in view of this the Soviet Government had been surprised that the United States Government had not supported their request at the Council for the trusteeship of Tripolitania. He inquired whether it was our desire to see the British monopoly in the Mediterranean maintained.

THE SECRETARY said that he was not exactly clear as to the details of Mr. Stettinius' communication, but as he recalled it, it was in general terms and did not refer to any specific territory.

MR. MOLOTOV said that that was true, but that this was the only opportunity for the Soviet Government. He said, if not Tripolitania, it might be some other Italian colony, but that it looked as though the

³¹ Presumably the reference is to the letter of June 23, 1945, from the then Secretary of State, Edward R. Stettinius, Jr., to Mr. Gromyko, vol. I, p. 1428.

United States did not wish the Soviet Union to have any territory under trusteeship.

THE SECRETARY pointed out that it was not a question here of assigning these territories to individual states, but of placing them under elective international trusteeship. He said Mr. Molotov misunderstood; that we had given no commitment to support their claim to any specific colony, but that if he kept on saying we had, he would soon come to believe it himself. He said that, for example, if a man told another that he was prepared to help him find a house, and that friend then selected the best house in town, which turned out to be unavailable, he would not feel he would have the right to demand that the other provide him with some other house.

MR. MOLOTOV repeated that he felt there would be no other opportunity for the Soviet Union to acquire territory for administration under trusteeship. He said he would send the Secretary a copy of Mr. Stettinius' letter.

MR. MOLOTOV then raised the question of their paper on German reparations.³²

THE SECRETARY said he had examined this paper, and he felt that the first paragraph concerning the transfer of the Reparations Commission from Moscow to Berlin was a sensible suggestion, and he felt that it might be acted on immediately. He said that in regard to the other point, he noted that the suggestion was that the Commission complete its study by December 1, whereas at Potsdam they had been given six months from the end of the Conference.

MR. MOLOTOV pointed out that the study in question was only a preliminary one and would have to be completed by that date if the six months' period for the whole study was to be complied with.

After some discussion it was agreed that this item would be removed from the agenda of the Council of the Foreign Ministers, and that instructions should be sent by the United States and Soviet Governments, and also the British, if they agreed, to the representatives to accelerate their work in order to carry out the Potsdam decisions on time.

THE SECRETARY remarked that he had studied the Soviet paper in regard to the repatriation of Soviet citizens,³³ and he felt that this question was not a proper one for the Council to discuss, but could be considered privately.

MR. MOLOTOV agreed, but said he felt measures should be devised to avoid the repetition of Soviet grievances on this subject.

³² C.F.M. (45) 15, September 14, p. 175.

³³ C.F.M. (45) 10, September 13, p. 151.

THE SECRETARY pointed out that this was a very complicated subject involving questions of disputed nationality and other factors.

MOLOTOV agreed, but said that their principal complaint was the refusal of the American authorities to let Soviet representatives visit the camps.

THE SECRETARY promised that in so far as the camps of the United States were concerned, we would have that remedied immediately.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Sixth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 17, 1945, 11 a. m.*

C.F.M.(P) (45) 6th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. B. V. Cohen	M. F. T. Gousev
Sir A. Clark Kerr	Mr. J. Dunn	M. K. V. Novikov
Sir Noel Charles	Mr. J. F. Dulles	Mr. S. A. Golunski
	Mr. C. E. Bohlen	
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Hollington Tong	
M. Alphand	M. Yang Yun Chu	
	Dr. Liang Yuen-Si	

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE PROCEDURE FOR HEARING VIEWS OF GOVERNMENTS OF YUGOSLAVIA, ITALY AND BRITISH DOMINIONS

(Previous Reference: C.F.M.(P) (45) 4th Meeting, Minute 3)

MR. BEVIN said that the Governments of Yugoslavia, Italy, Australia, New Zealand and South Africa had accepted the Council's invitation to send representatives to express their views at the Council's meeting that afternoon on the Yugoslav-Italian frontier and Trieste.³⁴

The Council agreed that the representatives of Yugoslavia and the three British Dominions should be present throughout the meeting that afternoon. The views of Yugoslavia should be heard first. The Italian representatives should then be invited into the Conference Room to express their views, and should then be asked to leave. The views of the three British Dominions could be stated after the Italian representatives had left.

³⁴ The Canadian and Indian Governments declined the invitation to be heard on this occasion but expressed the desire for an opportunity to be heard later on subjects of concern to them.

2. POLAND

(Previous Reference: C.F.M.(P) (45) 5th Meeting, Minute 1)

The Council agreed that the matters raised in the note from the Polish Provisional Government about the Arciszewski Government should first be dealt with through the diplomatic channel in the ordinary way, but if agreement was not reached by this means could be raised at the next Conference of the Council.

3. CONTROL AND ADMINISTRATION OF GERMANY

(Previous Reference: C.F.M.(45) (P) (45) 4th Meeting, Minute 1)

The Council agreed that the memorandum on this subject circulated by the French Delegation (C.F.M.(45) 17)³⁵ should be added as Item 8 of the Agenda for the present Conference.

4. ITALIAN PEACE TREATY: DODECANESE ISLANDS

(Previous Reference: C.F.M.(P) (45) 3rd Meeting, Minute 4)

MR. BEVIN said that the British Delegation withdrew their proposal about Castelrosso and were now in agreement with the proposal of the United States Delegation that the Dodecanese Islands should be ceded to Greece and demilitarised.

M. MOLOTOV said that all the Delegations recognised that Greece had sufficient grounds on which to substantiate a claim to these islands, and it was clear from the discussion that none of the five Powers represented on the Council claimed any of these islands. This area was, however, of great interest to the Soviet Union, in view of its proximity to the entrance to the Black Sea, and he desired that this question, including the proposal for the demilitarisation of the islands, should be given further study before a final decision was taken. He also thought that the views of the Greek Government should be ascertained. He therefore suggested that the whole question should be remitted for study by the Deputies.

M. BIDAULT said that the French Delegation regarded it as natural that the islands should be ceded to Greece and had no objection to their being demilitarised.

DR. WANG said that the Chinese Delegation had no objection to the islands being ceded to Greece.

MR. BRYNES said that he was not prepared to remit to the Deputies the question of policy involved in this matter.

Further discussion followed; after which the Council agreed that further consideration of this question should be adjourned from day to day and that if no agreement were reached before the end of the present Conference, the question should be brought up for decision at the Council's next Conference.³⁶

³⁵ *Ante*, p. 177.

³⁶ Regarding the discussion on the question of the disposition of the Dodecanese, see the United States delegation minutes, *infra*.

5. ITALIAN PEACE TREATY: ARMAMENTS

The Council proceeded to consider Section IV of the memorandum by the United States Delegation (C.F.M.(45) 16)³⁷ on Armaments.

After discussion it was agreed to accept paragraph (1) of this Section in the following amended form:—

“The maintenance of armaments for land, sea and air will be closely restricted to the necessities of (a) maintenance of order in Italian territory and local defense on Italian frontiers; (b) such military contingents, if any, in addition to the foregoing, as may be required by the Security Council”.

It was further agreed that the restrictions under (a) above would be imposed on the understanding that they would operate only until such time as they were relaxed by the Security Council of the World Organisation.

The Council took note that the French Delegation, in putting forward to the Deputies their proposals for minor rectifications of the Franco-Italian frontier, would propose that the Italian side of this frontier should be demilitarised; and that the acceptance by the French Delegation of the paragraph set out above was subject to this reservation.

The Council agreed that the Deputies, in considering in detail the relevant clauses of the draft heads of the Peace Treaty with Italy (C.F.M.(45) 3),³⁸ should be guided by the general principles set out above.

740.00119 Council/9-1145

United States Delegation Minutes of the Sixth Meeting of the Council of Foreign Ministers, London, September 17, 1945, 11 a. m.

[Extract]³⁹

ITALIAN PEACE TREATY

BEVIN said the first question was that of the Dodecanese. Proposal of the United States was that they were to be ceded by Italy and handed over to Greece and that they be demilitarized. There had been a proposal in regard to the island of Castelrosso which he now proposed to withdraw. The British Delegation was in agreement with the United States proposal.

MOLOTOV said that he recognized that Greece had sufficient grounds to claim these islands. They had decided to refer the question of

³⁷ *Ante*, p. 179.

³⁸ *Ante*, p. 135.

³⁹ For the full record of this meeting, as prepared by the Secretary General, see *supra*.

colonies to the Deputies and he thought it would be proper to refer this question to the Deputies to study in greater detail. There were many questions which should be examined. He asked if he understood that the British agreed with the United States that these islands should be demilitarized and he pointed out that this was not in the British draft.

BEVIN said that the British would agree to demilitarization.

MOLOTOV said he wanted to know whether the principle of demilitarization was being applied to other islands in this area which did not belong to Greece. If they were not being demilitarized there must be some reason. It was evident that this question must be studied. Their Naval people had pointed out the grave situation that had arisen in these islands during the war for ships that sailed past them at a time when they were dominated by Germany and Italy and when Greece was unable to defend them. It seemed to him that it was not necessary from the fact that the Soviet Government attached particular importance to this area but because it was near the entrance to the Black Sea. He thought it should be referred to the Deputies for study.

BYRNES asked if he understood the position of the Soviet Delegation correctly. Was it that all they wanted was that Greece should have the right to build fortifications on the islands?

MOLOTOV replied that before answering this question he would like to see the opinion of the Greeks.

BYRNES pointed out that there were two questions before them. Did the Soviet Delegation agree that these islands be ceded to Greece?

MOLOTOV said he had already emphasized the right that Greece had to these islands.

BYRNES said then he understood that the French had expressed agreement and he thought the Chinese had no objection. Could they then not decide that these islands be ceded to Greece? Then they could refer to the Deputies as to whether they were to be demilitarized and they could consult the Greek Government as to their views. He anticipated that they would have no serious disagreement in regard to this matter. They should at least instruct the Deputies in regard to the first question.

MOLOTOV requested that the whole matter be examined by the Deputies.

BYRNES said he saw no reason to refer to the Deputies the question of whether these islands be ceded to Greece. That was a question of policy and there was nothing to be examined by the Deputies. It must be decided by the Council. The position the Deputies would find themselves in if it were referred to them was that four Delegations had expressed willingness that the islands be ceded to Greece and that

the Soviet Delegation had not definitively expressed its agreement. If the Soviet Delegation could agree then the Deputies could draft the language for carrying out their decision and they could leave for further consideration the question of demilitarization.

MOLOTOV observed that if he lived in North America he could decide the question without delay.

BYRNES said he was sorry that he was not an inhabitant of North America. The United States was just as vitally interested. Twice in our generation our people had been obliged to go to war when they did not want to go to war. We would want to be of some help in making the peace now that the war was over.

MOLOTOV said he could assure Mr. Byrnes that he would lose nothing in the settlement of this problem if they gave more study to it.

BEVIN said the British Delegation did not put in their draft the demilitarization proposal. When it was raised the other day they thought that there had been agreement and they had responded to what they thought would be a general basis of agreement. If it were now decided to cede the islands to Greece and give further study to demilitarization he would have no objection. He understood that it was not the intention of any of the five powers represented at the Council to make claim to any of these islands.

MOLOTOV replied that this was correct.

BEVIN asked if it would not be best for the Council to go on record on this matter and then refer to the Deputies who could consider with the military and naval advisers the question of demilitarization.

MOLOTOV thought it was desirable to give more attention to this question and to learn the opinion of Greece. This would take time and it would be best to have the matter first studied by the Deputies and then by the Council.

BYRNES said they all agreed that the Deputies should consider the question of demilitarization but the Deputies could not make any other disposition of the islands in view of the language used by the representatives on the Council. If after several weeks of consideration the Deputies submitted a report, four of them would propose to cede the islands to Greece and the other Deputy's report which would be either for or against it would not help Mr. Molotov make a decision. The Council would not help its own standing if it referred a question of this kind to the Deputies. If his Soviet friend was not ready to decide now he proposed that they postpone it to a later meeting of this session and decide it themselves.

MOLOTOV thanked Mr. Byrnes for his invariably friendly attitude. He preferred to refer the matter to the Deputies not for decision but only for study which would be helpful to them. The Soviet Delegation thought it desirable to seek the opinion of the Greeks but of course

it would be better to seek the opinion of a Government which he hoped would be set up than to ask a Government which did not enjoy the confidence of the Greeks.

BYRNES said the Deputies could not do anything about the question of the Government of Greece. A few moments ago the Soviet representative had said that no one of the powers here should have these islands. The question was to whom should they go. Did Mr. Molotov have any doubt that if any faction of the Greeks were asked about the matter they would not want the islands?

MOLOTOV thought that Mr. Byrnes was right that all Greeks would be in favor of taking them but he thought the whole question should be passed over for detailed study.

BYRNES thought he could give satisfaction to his Soviet colleague by proposing that they say "it is decided that the Dodecanese be ceded to Greece. However, if after the Greek Government refused to accept the islands, the whole question will be considered by the Council".

MOLOTOV suggested that they transmit the question of the Dodecanese to the Deputies for study on the understanding that they would study the question taking into account the exchange of views that had taken place in the Council.

BYRNES said he wished again to ask his friend to defer discussion to a later meeting.

MOLOTOV replied he could agree to postpone the matter but he was afraid this would not give sufficient time.

BYRNES said he believed in being frank. If his friend had made up his mind that he would not decide this matter until the Greek elections the question would have to be postponed until they met again, but it would be a farce to refer it to the Deputies to study because there was nothing they could do about it.

MOLOTOV said he frankly thought this view was too pessimistic.

BEVIN asked what the Deputies would have to study.

MOLOTOV said they could study the British and American drafts.

BEVIN asked if he understood that the record would show that the islands should be ceded by Italy. The decision to cede the islands to somebody was recorded.

MOLOTOV preferred to say that the Council of Foreign Ministers referred the proposals made by the British and American Delegations to the Deputies for study and request them to take into account the exchange of views that has taken place in the Council.

BYRNES said he would not agree to any such proposal. If this matter were referred to the Deputies it would have to be reported back when they met again and the Council would have to decide it. The people of the world were looking to this Council for action. They would never understand what kind of study the Deputies would make

of the case of ceding the islands to Greece. He wished to propose that they be ceded to Greece subject to review after receiving the Deputies' report on the question of demilitarization. He would object to this being referred to the Deputies under the pretence that they had anything to consider on the question of whether they should be ceded and if so to whom.

BEVIN said it was difficult for him to understand why on Monday they could decide to cede islands to Yugoslavia and Albania but could not decide this matter. North America was about the same distance from both of them. They had never attempted to refer these other questions to the Deputies. He thought the Soviet Delegation should also reach a decision. He observed questions of the character of governments was not limited to Greece and that governments come and go at least in some countries.

MOLOTOV said the facts given by Mr. Byrnes were correct.

BYRNES asked if Mr. Molotov then agreed with him.

MOLOTOV replied that he agreed with the facts given but there was also the fact that the Greek islands were closer to the Black Sea than the Dalmatian Islands. This made it imperative to refer the question to the Deputies for study.

BEVIN inquired if it were not agreed that the islands would be ceded by Italy and that none of the five powers represented on the Council had any claim to them.

MOLOTOV replied that he had no doubt but that they could agree on the remaining questions but he felt that this one would require further study.

BYRNES asked what directive would be given to the Deputies.

MOLOTOV said he was willing to repeat his suggestion for the third time that the Deputies take into account the exchange of views which had taken place in the Council and which he pointed out was friendly to Greece.

BEVIN asked if this meant that no objection would be made by the Deputies that the islands would be ceded by Italy.

MOLOTOV observed that if Mr. Bevin wanted them to decide all questions at this meeting he wanted too much. The Deputies should be instructed to study this question taking into account the exchange of views between all Delegations which he again pointed out had been friendly to Greece.

BYRNES said he objected to the question going to the Deputies on any pretense of their making a report. Four of the Deputies would be ready to report tomorrow. If the Soviet Delegation had not decided on its position and wanted some inquiry made by its Deputy for a report later this week or if not then, to the next session of the Council he could agree but he could not agree to the farce of trans-

mitting the question to the Deputies for study when there was nothing for them to study.

BIDAULT said the opinion of the French Delegation was that it appeared to them to be normal that the Dodecanese be ceded to Greece and the French Delegation was not opposed to demilitarization. With respect to the question of procedure he observed that this was the first time that the French Delegation participated in such a discussion on a basis of equality with the other powers and that it was therefore not experienced in such matters. He felt, however, that the sooner the question was decided the better. The French desire was that there should be agreement on substance.

WANG said the Chinese Delegation had no objection to the islands being ceded to Greece.

MOLOTOV suggested that they accept the proposal of Mr. Byrnes that this question be deferred to the next session of the Council if it was impossible to agree on referring it to the Deputies.

BYRNES pointed out that his proposal was to defer the question from day to day and that only if there was no agreement before adjournment then it should go over to the next session.

MOLOTOV said he agreed with this proposal.

BEVIN observed that the decision was that the matter was adjourned and that it remained in the hands of the Council.

BYRNES added that it remained in the hands of the Council with the hope that it could be decided in the course of this week.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Seventh Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 17, 1945, 4 p. m.*

C.F.M.(P) (45) 7th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov (Chairman)
Sir R. I. Campbell	Mr. B. V. Cohen	M. F. T. Gousev
Sir A. Clark Kerr	Mr. J. Dunn	M. K. V. Novikov
Sir Noel Charles	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Victor Hoo	
M. Alphant	Dr. Hollington Tong	
M. Fouques-Duparc	Mr. Yang Yun Chu	
M. Basdervant ⁴⁰		

⁴⁰ Not further identified.

AUSTRALIA

Dr. H. V. Evatt ⁴¹
(For Item 1)

NEW ZEALAND

Mr. R. M. Campbell ⁴²
(For Item 1)

SOUTH AFRICA

Mr. Heaton Nicholls ⁴³
(For Item 1)

YUGOSLAVIA

Mr. Ljubo Leontic ⁴⁴
(For Item 1)

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE
(Previous Reference: C.F.M.(P) (45) 6th Meeting, Minute 1)

M. MOLOTOV said that representatives of Australia, New Zealand, South Africa and Italy were available to put their views to the Council on the question of the Yugoslav-Italian Frontier and Trieste. The Yugoslav Ambassador in London was also present. The Yugoslav Delegation had, however, addressed a letter to Mr. Bevin, as Chairman of the Council's meeting that morning, stating that the Delegation had only just arrived in London, and were greatly fatigued by their journey, and asking that they might be allowed to present their views to the Council at 11 a. m. on the following day. M. Molotov added that he had just received a further message from the Counsellor of the Yugoslav Embassy in London to say that Mr. Kardelj was indisposed and could not attend a meeting that afternoon.

The Council agreed that the meeting to hear the views of the Governments of Yugoslavia, Italy, Australia, New Zealand and South Africa should be postponed until 11.0 a. m. on Tuesday, 18th September.⁴⁵

2. ITALIAN PEACE TREATY: ARMAMENTS

(Previous Reference: C.F.M.(P) (45) 6th Meeting, Minute 5)

The Council resumed their consideration of Section IV of the memorandum by the United States Delegation (C.F.M.(45) 16) on Armaments.⁴⁶

M. BIDAULT recalled that at their meeting on 14th September the Council had agreed that the proposal in paragraph 7 of C.F.M.(45) 16 for the demilitarisation of Pantellaria and Isole Pelagie should be considered at the same time as the proposals on Armaments in Section IV of that paper.

M. MOLOTOV said that the Soviet Delegation had had no opportunity of consulting their naval and military experts and must reserve the right to ask the Council to resume consideration of these military

⁴¹ Herbert V. Evatt, Australian Minister of State for External Affairs.

⁴² Richard M. Campbell, Acting New Zealand High Commissioner in London.

⁴³ George Heaton Nicholls, High Commissioner for the Union of South Africa in London.

⁴⁴ Yugoslav Ambassador in the United Kingdom.

⁴⁵ The representatives of Yugoslavia, Australia, New Zealand, and South Africa withdrew at the conclusion of the consideration of this item. There is no evidence that an Italian representative was present at this meeting.

⁴⁶ Dated September 14, "Suggested Directive to Deputies . . .", p. 179.

proposals at a later stage in the Conference. Subject to this reservation by the Soviet Delegation, the Council reached the following conclusions:—

- (1) Pantellaria and Isole Pelagie should be demilitarised;
- (2) Italy should be prohibited from constructing any naval, military or air force installations in Sicily and Sardinia, except for such facilities as may be required by the World Organisation or for internal security purposes;⁴⁷
- (3) Factory and tool equipment in Italy designed for the manufacture of war implements which is not required for the permitted military establishments and is not readily susceptible to conversion for civilian purposes should be surrendered to the Four Powers for such disposal on reparations account or otherwise as they may determine;
- (4) A liberal attitude should be taken towards the production of aircraft and airplane engines for civilian use;
- (5) Provision should be made for the establishment of Allied machinery to enforce the naval, military and air clauses of the Peace Treaty (as proposed in paragraphs 56–58 of C.F.M.(45) 3⁴⁸) until such time as Italy can be accepted as a reliable member of the World Organisation;
- (6) The Deputies should proceed to consider the detailed provisions of the military clauses of the Peace Treaty in the light of the general principles approved by the Council as set out in (1) to (5) above and

⁴⁷ According to the American minutes of this meeting, the following discussion took place regarding the demilitarization of Sicily and Sardinia:

“BYRNES said the American position was that Pantelleria and Pagliac be demilitarized.

“MOLOTOV inquired what about Sardinia and Sicily.

“BYRNES said that the United States Delegation made no proposal on that subject. He believed the proposal on this matter came from the British.

“BIDAULT said that France agreed to limit the demilitarization of all four places.

“BEVIN said this was what the British proposed and they took a strong view with respect to the demilitarization of these places.

“MOLOTOV inquired for what reason. Were there any practical reasons?

“BEVIN said the British proposal was for prohibition against any military installations on Sicily and Sardinia except as were necessary to facilitate the functions of the United Nations organization or for purposes of internal order. There was a difference between the British position with respect to Sicily and Sardinia and that with respect to Pantelleria and Pagliac for which they proposed permanent demilitarization. Pantelleria was not necessary for the defense of Italy and could be armed for the object of aggression. Since these Islands had been used aggressively in two wars he did not think they should be so used again. The British would like the provision as set forth in their draft and the French and United States proposals with the difference that Sardinia and Sicily would be subject to the United Nations organization.

“BYRNES agreed that paragraph 31 of Part IV of the British draft be added to the directive. He thought that Item 7 in the United States draft should be transferred to Part IV as paragraph 2 and should be followed by the language in the British draft as paragraph 3.

“MOLOTOV said the Soviet Delegation had no objection to this proposal but it wished to make a reservation. It might be that other Delegations had had time to consult in detail with their military and naval experts but the Soviet Delegation had not had time. It wanted the possibility of returning to this question in the course of the present session if it had any additional points to make.” (740.00119 Council/9–1145)

⁴⁸ September 12, p. 135.

in the record of the earlier discussion on Armaments at the Council's meeting that morning (C.F.M.(P) (45) 6th Meeting, Minute 5).

3. ITALIAN PEACE TREATY: WAR CRIMES, ETC.

The Council considered Section V of the memorandum by the United States Delegation (C.F.M.(45) 16) on War Crimes, Return of Prisoners of War, etc.

It was agreed that the Deputies should be guided by this Section of the memorandum by the United States Delegation in their detailed examination of the relevant Sections of the draft Treaty (paragraphs 61-68 of C.F.M.(45) 3).

4. ITALIAN PEACE TREATY: REPARATIONS

The Council considered Section VI of the memorandum by the United States Delegation (C.F.M.(45) 16) on Reparations from Italy.

M. Molotov handed in a memorandum on this subject by the Soviet Delegation (C.F.M.(45) 19⁴⁹). He explained that, as stated in the first paragraph of this memorandum, the Soviet Delegation took the view that, as an aggressor, Italy should pay reparations, but that as she had come over to the Allied side before the end of the war reparations should not be exacted from her in full. Reparations should be paid by Italy in kind (equipment of war factories, shipyards, etc.). The Soviet memorandum provided for the total amount to be inserted; and M. Molotov explained that this figure had been left open pending discussion by the Council. At the Berlin Conference the Soviet Delegation had suggested that a fair minimum for reparations from Italy might be \$600 million. They had, however, gained the impression that the United States and British Delegations might not press their claim to reparations from Italy; and, if so, the total amount might be reduced. The Soviet Government thought that Greece, Yugoslavia and Albania would press their claims to reparations from Italy, and they themselves were certainly not prepared to abandon their own claim, although they would accept less than half the total. The third paragraph of the memorandum repeated the substance of paragraph 72 of the British draft (C.F.M.(45) 3), which was accepted by the Soviet Delegation.

M. BIDAULT gave his preliminary comments on the Soviet memorandum. The first paragraph should give rise to no difficulty. The second was too indefinite without a figure for the total amount of reparations. Paragraph 3 was open to the objection that it obliged

⁴⁹ September 17, p. 217.

the Italian Government to compensate Allied nationals only to the extent to which it compensated Italian nationals; and Italy might escape this obligation altogether by deciding to make no compensation to Italian nationals.

M. BIDAULT handed in copies of a memorandum which the French Delegation had prepared on this subject (C.F.M.(45) 20⁵⁰), consisting of an amended version of Section VI of the United States draft. While in this memorandum, as in that of the United States, the main basis of reparations was equipment from Italian war factories, the French draft emphasised the need for the restitution of, or compensation for, property of any of the United Nations or their nationals removed or damaged by the Italians. The French Delegation attached particular importance to this.⁵¹

MR. BYRNES said that he still thought the Directive proposed by the United States Delegation in Section VI of C.F.M.(45) 16 was fair and reasonable. It would be difficult for the Council or the Deputies to fix in dollars the value of the machinery and equipment which could be made available for reparations from Italy. A tentative agreement had just been reached on the scale of military armament which Italy would be permitted to retain. It followed that a munitions industry on a corresponding scale should also be retained by Italy. The United States Delegation also thought it important that Italy should be allowed to retain all the machinery readily convertible to civilian purposes which she needed to restore her peacetime economy. Everything over and above these requirements should be surrendered to the Four Powers for such disposal on account of reparations as they might determine. Any such equipment or machinery which might be allotted to the reparations account of the United States would be made

⁵⁰ September 17, p. 217.

⁵¹ The United States delegation minutes of this meeting record the following additional exchange in the discussion at this point:

"BEVIN said he wished to report that the first charge on Italian accounting must be for relief and debts. He doubted whether anything would be left for reparations.

"MOLOTOV pointed out that this had not been agreed to.

"BEVIN said he did not say that it was recorded but he had certainly made the statement and had clearly indicated the British position. He felt that what was left over for reparations should go to Yugoslavia and Greece. It was preferable that the great powers not demand reparations.

"BIDAULT said that they should understand that stolen goods must be restored and that if they were not able to identify them for restitution then they should be compensated by reparations. Moreover Italian property not ceded property should go to the reparations account. He referred to the fact that in the case of persons resident in Italy they would be paid in Italian currency. The French claim would be defined and he agreed that war material would be the most important part of reparations." (740.00119 Council/9-1145)

available for such of the smaller States which had suffered at the hands of Italy and were entitled to reparations.

The situation in Italy was desperate. In order to relieve it, the United States had been providing relief for Italy and would continue to do so. It was therefore essential to adopt a liberal policy in the matter of reparations from Italy. If the Council accepted the Soviet proposal to fix a total for Italian reparations, there would be a danger that in the attempt to reach this total, factories which might have been converted to civilian use would be dismantled, thus leading to further unemployment and an increase in the numbers needing relief from the Governments members of the Council. If the proposal made by the United States Delegation was accepted, an Allied Commission could be appointed to determine what equipment was available for reparations, to hear the claims of the countries entitled to receive it, and to allot it among them. He feared that the total amount of reparations available from Italy would not be large; but he was satisfied that neither the Council nor their Deputies could determine now what the total amount should be.

M. Molotov said, in reply to Mr. Byrnes, that the Governments represented at the Council were, in regard to this matter, in different positions. The territory of the United States had not been occupied by Italy, as had that of the Soviet Union. Further, the Council must take into account, not only the views expressed round the table, but also the feelings of Soviet citizens whose homes had been devastated. When soldiers were demobilised and returned to find their families killed and their homes destroyed, would it satisfy them to be told that the Soviet Delegation had been convinced by the argument of the United States and the other Delegations that reparations should not be exacted from Italy, who had been partly responsible for this devastation? How could such a decision be explained to the Soviet people?

M. Molotov also pointed out that by the Terms of Surrender, to which the United States and British Governments had been parties, Roumania had agreed to pay on account of reparations \$300 millions over a period of six years. Finland (a small country with a population of only 4,000,000) was to pay the same total amount in reparations. Both these countries were meeting their obligations in this matter. Was it just that, while these smaller countries were made liable to reparations, Italy should be exempted altogether? The Soviet Government had recently published the total amount of direct material damage done to the Soviet Union by Germany and her Allies; this amounted to 679 billion roubles. Should not even one per cent

of this amount be demanded from Italy? ⁵² The Soviet Delegation was claiming not even that, but only some moral satisfaction for their people. He therefore proposed a more definite version of the second paragraph of his memorandum as follows:—

“Italy shall pay reparations to the Associated Powers in kind (equipment of war factories, shipyards, including docks, cranes, machine tools, etc. and munitions). The United States and British Governments having renounced their claim to reparations, it is agreed that an amount of \$300 million be exacted from Italy in favour of the U.S.S.R., Yugoslavia, Greece and Albania, of which the U.S.S.R. shall receive \$100 million”.

MR. BEVIN said that, while it was true that the British Government had agreed to the insertion of a total figure for reparations in the Terms of Surrender for Roumania and Finland, they had only done so under protest and with the reservation that this should not be regarded as a precedent. The British Delegation supported the United States proposal that reparations from Italy should be limited to once for all deliveries. They objected, however, to any attempt to fix a total dollar value for such deliveries, as they were not prepared to agree to a reparations policy which would result in the British Government's having to subsidise the payment of reparations by continuing relief to Italy. They still remembered their experience after the last war, when reparations defeated their own objects. It was the purpose of the Council to make an enduring peace, not a peace of vengeance.⁵³ M. MOLOTOV had spoken of the effect on public opinion in the Soviet Union. What would the British public say if he agreed to fix a total of \$300 millions for reparations from Italy, and then had to admit that the British taxpayer was contributing towards the payment of these reparations?

⁵² The American minutes of this meeting record that the Secretary of State responded to this question by Molotov in the following terms: “BYRNES said with regard to the suggestion that the Soviet press might say that the American Delegation had opposed the Soviet Union receiving even \$1,000,000 in reparations that in every country newspapers make unqualified statements. He was satisfied, however, that in the Soviet Union no newspaper would make such an unqualified statement for neither he nor any representative of the United States Delegation had made any such statement. What he had said as set forth in this paper was that there should be determined what should be divided as Italian reparations and that the United States would renounce in favor of Greece, Yugoslavia and other Governments the share of the United States. He did not specifically say France but he did say other countries. He did not say that the Soviet Union should not receive even \$1,000,000.” (740.00119 Council/9-1145).

⁵³ The American minutes of this meeting record the following additional exchange between Bevin and Molotov at this point:

(Bevin speaking) “It was interesting to note that the appetite grew with time. At Potsdam the Soviet Delegation had put forward a claim of \$250,000,000 to be divided by all States.

“MOLOTOV interjected that they had proposed writing the sum of \$600,000,000.

“BEVIN said that nothing about figures had been mentioned but in the end the claim had been brought down to \$250,000,000.” (740.00119 Council/9-1145)

For documentation regarding the consideration at the Berlin Conference of the problem of Italian reparations, see *Conference of Berlin (Potsdam)*, vol. II, p. 1623, index entries under Italy: Reparations.

If claims to reparations were to be decided on a nice calculation of damage done by Italy, he would remind the Council that the British Government had already guaranteed £10 millions for the rehabilitation of Malta, and that the Italians had also caused substantial loss to the United Kingdom in the early years of the war.

The British Government had no wish to condone what Italy had done; but they must take into account the extent to which she had succeeded in "working her passage home". He believed that they would do much better for Europe, for Italy, and for themselves if they allowed her to restore her economy on a peace-time basis, instead of stripping her territory and making it impossible for her to live. Their policy towards Italy should be, first, to enable her to repay what had been supplied to her by way of relief; secondly, to help her to restore her economy on a peace-time basis; and, thirdly, to remove machinery and equipment which was not needed for a peace-time economy, and would help to create a war potential.

M. Molotov said that reference had been made to the experience of reparations after the last war. He preferred to rely on more recent experience. Their experience of reparations had so far been very satisfactory. The largest demand had been made on Finland, which, with a population of 4 millions had to pay \$300 millions; and Finland was carrying out her obligations with friendly relations with the Soviet Union. He had no objection to the United Kingdom receiving any reparations she might claim. But if the United Kingdom, the United States and France claimed reparations from Italy, the total amount should be increased to \$600 millions.

M. BIDAULT said that the French claim for reparations from Italy would be very small, although they had suffered damage to the extent of \$400 millions.

The Council agreed to resume discussion of this question at their next meeting.

740.00119 Council/9-1745 : Telegram

The Acting Secretary of State to the Secretary of State, at London

WASHINGTON, September 17, 1945—7 p. m.

8072. Secdel 67. During call today Ital Ambassador asked re press reports of decision at London on disposition of Ital colonies. I replied I had no info on this subject and could only wait word or statement from you. Ambassador went on to say that this was not most important matter. Most important in his judgment was decision to be made on Trieste. He felt that if both decisions were adverse to Italy repercussions would be great, Western democracies would receive brunt of criticism in Italy, and moderate parties there would suffer as consequence.

Tarchiani added that on basis of talks with President and you before your departure he believed you understood and were sympathetic to Ital position on Trieste.⁵⁴ I said that De Gasperi⁵⁵ would doubtless have discussed matter with you but told Ambassador who seemed much disturbed that I would inform you of substance of our conversation.

ACHESON

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 19

LONDON, 17 September, 1945.

REPARATIONS FROM ITALY

1. Italy shall recognise her responsibility for the damage that she has caused to the Associated Powers by her participation in the war on Germany's side; but, taking into consideration that Italy was the first to break with Germany and that she came over to the side of the Allies, it is concluded that the compensation for this damage to the Associated Powers will be made by Italy not in full but only in part.

2. Italy shall pay reparations to the Associated Powers to the amount of dollars in kind (equipment of war factories, shipyards, including docks, cranes, machine tools etc).

3. By way of making good war losses, Italy shall provide compensation to nationals of the United Nations, civilian persons, who are residents in Italy and have suffered personal damage, on terms which are not less favourable than those applied to Italian nationals.

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Memorandum by the French Delegation to the Council of Foreign Ministers

C.F.M.(45) 20

LONDON, 17 September, 1945.

AMENDMENTS PROPOSED BY THE FRENCH DELEGATION TO THE ECONOMIC AND FINANCIAL PROVISIONS OF THE DRAFT DIRECTIVE SUBMITTED BY THE UNITED STATES DELEGATION ON THE PREPARATION OF A TREATY OF PEACE WITH ITALY⁵⁶

VI. REPARATIONS

The Italian Government will authorise each of the United Nations to take over and apply to their respective reparation claims such of

⁵⁴ No records of Tarchiani's talks with the President and the Secretary of State have been found in Department files.

⁵⁵ Alcide de Gasperi, Italian Foreign Minister.

⁵⁶ C.F.M.(45) 16, September 14, "Suggested Directive to Deputies . . .", p. 179.

the assets of the Italian Government (excluding diplomatic and consular premises) and of Italian nationals as are within the jurisdiction of the respective United Nations; the latter will exercise their rights to the extent justifiable by the circumstances and according to their free decision. The Italian Government will undertake to indemnify, in accordance with Italian law, the Italian nationals whose property will thus have been requisitioned.

Subject to the provision above with respect to war-making machinery and subject to the provisions connected with other elements which may be established for the settlement of reparation without burdening the Italian economics substantially, each of the United Nations will limit its reparation claim against Italy to the amount which will thus be made available to it and each of the United Nations will be free to allocate that amount to the indemnification of the state or its nationals as it may determine as a matter of domestic policy.

Property which was taken from the nationals of the United Nations and which will be identified on the Italian territory will be restored to them. On demand of the United Nation concerned such actual property will be reconditioned by the Italian Government at its expense.

A commission composed of representatives of the Four Powers will be entrusted with the securing of the application of these provisions.

Italy will restore to the Governments and the nationals of the United Nations all property, rights and interests which they had on her territory in the state in which this property and these rights and interests were at the moment of the declaration of the war. She will take all measures to return to the interested parties the property and the rights of which they were deprived as a result of fascist discriminating measures. Should such restitution or reconditioning of the actual property and rights be materially impossible Italy must pay compensations in lire.

VII. FINANCIAL, ECONOMIC AND ESTABLISHMENT PROVISIONS

There are a number of matters affecting future economic and financial relations which might be dealt with in the treaty of peace, but in view of the complexities raised by the large number of states involved some of the financial, economic and establishment matters must be dealt with by separate treaties.

Provisions of a general character, however, will have to be introduced into the treaty. In that respect the British draft can be taken by the Deputies as a basis for their discussions.

In addition to that, provisions referring to one State in particular, but being either of a special importance or of a great urgency to it can be included in the general treaty.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 21

LONDON, 17 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH ROUMANIA

1. The United Kingdom Delegation offer the following preliminary observations upon the Soviet Delegation's Memorandum, circulated to the Council as Paper C.F.M. (45) 8.⁵⁷

2. The United Kingdom Delegation agree with the Soviet Delegation that the relevant Articles of the Armistice with Roumania signed at Moscow on the 12th September, 1944, provide a basis for the drafting of certain parts of the Treaty of Peace with Roumania. They make the following comments upon particular Articles specified in paragraph 1 of the Soviet Delegation's memorandum.

3. The United Kingdom Delegation doubt whether Article 1 of the Armistice has any validity in the Peace Treaty as it would appear to apply exclusively to wartime conditions. The United Kingdom Delegation propose, however, that the Peace Treaty should lay down the character and numbers of the armed forces which Roumania would be allowed to retain; should impose the necessary limitations upon the manufacture of war material in Roumania; and should provide for a small inter-Allied military Inspectorate to supervise the execution of the military clauses of the Treaty in succession to the Allied Control Commission which would be dissolved upon the entry into force of the Treaty.

4. The United Kingdom Delegation agree that Article 4 of the Armistice, regarding the restoration of the State Frontiers between the Union of Soviet Socialist Republics and Roumania as established by the Soviet Roumanian Agreement of the 28th June, 1940⁵⁸ should be confirmed in the Peace Treaty. It is assumed that in the case of this, as of other frontier clauses, a map will be provided to show the precise boundary line.

5. The United Kingdom Delegation assume that in specifying Article 9 of the Armistice, the Soviet Delegation have in mind arrangements for the return of the vessels to their owners and compensation for their damage or destruction.

6. With regard to Article 14 of the Armistice, the United Kingdom Delegation assume that the peace treaty will require the Roumanian

⁵⁷ September 12, p. 149.

⁵⁸ For the exchange of notes of June 26-28, 1940, between the Soviet Union and Rumania constituting an agreement concerning the cession to the Soviet Union of Bessarabia and Eastern Bukovina, see *Foreign Relations*, 1940, vol. I, pp. 480-490, *passim*.

Government to collaborate with any Allied Government in the apprehension and trial of persons accused of war crimes.

7. The United Kingdom Delegation suggest that the action already taken by the Roumanian Government under Article 15 of the Armistice may make it unnecessary to repeat in the peace treaty the whole substance of Article 15.

8. The United Kingdom Delegation assume that on the conclusion of the peace treaty all Allied forces will be withdrawn from Roumania (except as may be provided for the maintenance of the lines of communication of the Red Army with the Soviet zone of occupation in Austria) and that all unused currency and goods will be returned to the Roumanian Government.

9. With reference to paragraph 3 of the Soviet Delegation's memorandum, the United Kingdom Delegation consider that the question of whether the whole of Transylvania should be returned to Roumania cannot be decided only on the basis of Roumania's war record. They feel that it is very important to obtain a Roumanian-Hungarian frontier which is equitable in itself. Before taking any final commitments they consider that this question should be carefully examined in an expert sub-committee. It will also be necessary to include provisions on certain consequential questions.

10. In addition, the United Kingdom Delegation consider that provisions should be included in the Peace Treaty with Roumania to cover the following matters of a political character:—

(i) Resumption of diplomatic and consular relations with Roumania. Allied Powers to have the right to appoint consuls at such places and in such numbers as each may decide.

(ii) Roumania to accept the arrangements made by the United Nations for the liquidation of the League of Nations and the Permanent Court of International Justice.

(iii) Roumania to recognise the authority of all United Nations Organisations already established or in contemplation and to accept such obligations in connexion with such organisations and any conventions concluded under their auspices as may be specified.

(iv) Roumania to accept any arrangements agreed for the international regime of the Danube.

(v) Requirement on Roumania to keep in force, or abrogate, Treaties to which Roumania is a party, with any necessary modifications, as may be directed by the Allied Powers.

(vi) Roumania to undertake to maintain a bill of rights as proposed for Italy by the United States Delegation in their memorandum circulated to the Council as Paper C.F.M.(45) 16,⁵⁹ and not to prosecute or molest any person on account of his feelings or sympathies with the United Nations or for the performance of any action calculated to facilitate the execution of the Armistice or Peace Treaty.

⁵⁹ September 14, p. 179.

(*Note:* these provisions would be in expansion of Article 6 of the Armistice, which the Soviet Delegation have already proposed should be taken as part of the basis for the Peace Treaty).

(vii) Roumania to receive Roumanian nationals returning from abroad and to accept full responsibility for them.

(viii) Roumania to reaffirm existing agreements regarding war graves of Allied nationals in Roumania and to accept any additions desired by the Allied Powers as regards the graves of Allied nationals who met their death in Roumania during the present war.

11. As regards economic and financial clauses of the Peace Treaty, the United Kingdom Delegation agree with paragraph 2 of the Soviet Delegation's memorandum. They consider, however, that additional provisions will be essential to cover the requirements of the Allied Powers in financial and economic matters. Such provisions would deal with claims by Allied Governments or their nationals against Roumania; the barring of claims of Roumania arising out of the war; United Nations property rights and interests in Roumania (this is the same ground as is covered by Articles 11, 12 and 13 of the Armistice but might now be expressed rather more fully); Roumanian property rights and interests in United Nations territory; Roumania's commercial relations with the United Nations; contracts, prize; and other matters. The United Kingdom Delegation suggests that in determining these provisions the Council of Foreign Ministers may find useful as a general guide the financial and economic sections of the draft heads of a Treaty of Peace with Italy, which they have already circulated to the Council (paper C.F.M.(45) 3⁶⁰).

12. The United Kingdom Delegation agree that consideration should be given to provisions on the lines of paragraph 4 of the Soviet Delegation's memorandum.

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Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 22

LONDON, 17 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH BULGARIA

The United Kingdom Delegation offer the following preliminary observations upon the Soviet Delegation's memorandum circulated to the Council as paper C.F.M.(45) 6.⁶¹

⁶⁰ September 12, p. 135.

⁶¹ September 12, p. 148.

2. The United Kingdom Delegation agree with the Soviet Delegation that the relevant Articles of the Armistice with Bulgaria signed at Moscow on 28th October, 1944, provide a basis for the drafting of certain parts of the Treaty of Peace with Bulgaria. The United Kingdom Delegation suggest that the action already taken by the Bulgarian Government under Article 7 of the Armistice may make it unnecessary to repeat in the Peace Treaty the whole substance of Article 7.

3. The United Kingdom Delegation consider that Article 1(*d*) of the Armistice, regarding the demobilisation of the Bulgarian armed forces, and Article 2 of the Armistice, regarding the steps necessary to liquidate Bulgarian aggression during the war against Greece and Yugoslavia, must also be taken as a basis for the necessary provisions in the Peace Treaty.

4. Taking as a basis Article 1(*d*) of the Armistice, the United Kingdom Delegation propose that the Peace Treaty should lay down the character and numbers of the armed forces which Bulgaria would be allowed to retain; should impose the necessary limitations upon the manufacture of war material in Bulgaria; and should provide for a small inter-Allied military Inspectorate to supervise the execution of the military clauses of the Treaty in succession to the Allied Control Commission which would be dissolved upon the entry into force of the Treaty.

5. The United Kingdom Delegation assume that on the conclusion of the Peace Treaty all Allied forces will be withdrawn from Bulgaria, and that all unused requisitioned currency and goods will be returned to the Bulgarian Government (cf. Articles 3, 15 and 17 of the Armistice).

6. The United Kingdom Delegation consider that the provisions in Article 14 of the Armistice, governing the return of Allied vessels to their owners and compensation for their damage or destruction, should be included in the Peace Treaty.

7. [Here follows text the same, *mutatis mutandis*, as section 10 in Proposals for a Peace Treaty with Roumania (C.F.M.(45) 21), *supra*.]

8. The United Kingdom Delegation suggest that consideration might be given to the need for a clause in the Peace Treaty confirming the cession of the Southern Dobruja by Roumania to Bulgaria in 1940.⁶²

9. 10. [Here follow texts the same, *mutatis mutandis*, as in sections 11 and 12 in Proposals for a Peace Treaty with Roumania (C.F.M. (45) 21), *supra*.]

⁶² For text of the Treaty of Friendship and Collaboration between Bulgaria and Roumania, with Protocol, Declaration and Agreements, signed at Craiova, September 7, 1940, see *British and Foreign State Papers*, vol. cXLIV, p. 247.

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Note by the Joint Secretariat, Council of Foreign Ministers

C.F.M.(45) 23

LONDON, 17 September, 1945.

AGENDA FOR THE PRESENT PLENARY CONFERENCE

Delegations may find it convenient to have for reference the Agenda for the present Plenary Conference as it stands at present:—

1. Italy: Draft Peace Treaty (including future of the Italian Colonies) (C.F.M.(45) 2, 3, 11, 13, 14 and 16)
2. Draft Peace Treaties with Roumania, Bulgaria, Hungary and Finland (C.F.M.(45) 4, 6, 7 and 8)
3. Withdrawal of Allied Troops from Persia
4. International Inland Waterways (C.F.M.(45) 1)
5. Austria
 - (a) Long-term Supply Arrangements;
 - (b) Possible Recognition of Central Government
6. Repatriation of Soviet Citizens (C.F.M.(45) 10)
7. Reparations from Germany (C.F.M.(45) 15)
8. Control and Administration of Germany (C.F.M.(45) 17)

740.00119 Council/9-1745

Memorandum of Conversation, by the Deputy Director of the Office of Near Eastern and African Affairs (Allen) ⁶³

[WASHINGTON,] September 17, 1945.

Mr. Tesemma ⁶⁴ called to say that he had just received an urgent instruction from the Vice Minister for Foreign Affairs, (Mr. Aklilou, whom I had met in San Francisco) instructing him to call on me and emphasise that the Ethiopian Government was much disturbed by two recent developments: (1) Yugoslav representatives had been invited to participate in the London Conference regarding the Italian peace treaty but no such invitation had been issued to Ethiopia and (2)

⁶³ A summary report of this conversation was sent to the Secretary of State in telegram 8122, Secdel 78, September 18, to London.

⁶⁴ Getahoun Tesemma, Ethiopian Chargé.

reports in the American press that the United States favored an international trusteeship for the Italian colonies in Africa.

Mr. Tesemma referred to the several assurances which have been given Ethiopia that his Government would have full opportunity to present its case before the Council of Foreign Ministers. As regards the international trusteeship, he pointed out that Ethiopia had presented a claim for both Eritrea and Somaliland to be incorporated into Ethiopia.

On the first point, I said that while I had received no specific information on the subject it seemed clear to me that the invitation to Yugoslavia to send representatives to London had resulted from the fact that the immediate question for discussion in London was the Italian-Yugoslav border. I reminded Mr. Tesemma that no Greek representatives had been called to London, due evidently to the fact that questions of direct concern to Greece had not yet been reached. I expressed the opinion that it might be some time before the question of the Italian colonies in Africa came under active consideration, since this question has been referred to the Deputies of the Foreign Ministers for consideration and might not be discussed until after the present Foreign Ministers' meeting has ended. Whenever it was reached, I felt confident the Ethiopians would be called.

As regards the international trusteeship, I said that I had no idea what the newspaper reporters were basing their stories on. No official statement had been made on this subject as far as I was aware.

During a subsequent informal chat, I asked Mr. Tesemma how his Government justified a request for the incorporation of Italian Somaliland. He said that the claim was based on ethnic, economic and religious grounds, all of which called for the union of Somaliland with the Ogaden. I expressed the personal view that Ethiopia would be ill-advised to attempt to take over Italian Somaliland, even if the Colony were awarded to Ethiopia. The physical and economic difficulties of governing the Italian Somaliland were, in my opinion, too great for Ethiopia to undertake. The job would require more strength than Ethiopia possesses. I thought that Ethiopia would benefit most from a strong government in Somaliland with assured rights to Ethiopia for trade, grazing and access to the sea. If Ethiopia were able to look to the United Nations for a guarantee of its rights in this connection, Ethiopia would be well advised not to press for title to Somaliland, with the many attendant headaches and expenses involved.

Council of Foreign Ministers Files: Lot M-88: CFM London Minutes

*Record of the Eighth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 18, 1945, 11 a. m.*

C.F.M.(P) (45) 8th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir N. Charles

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. S. A. Golunski

FRANCE

M. Bidault
M. Couve de Murville
General Catroux

CHINA

Dr. Wang Shih Chieh (Chairman)
Dr. Wellington Koo
Dr. Victor Hoo

AUSTRALIA

Dr. H. V. Evatt

NEW ZEALAND

Mr. R. M. Campbell

SOUTH AFRICA

Mr. Heaton Nicholls

YUGOSLAVIA

M. Edward Kardelj ⁶⁵
M. Ljubo Leontic
M. Sava Kosanovic ⁶⁶

ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE (Previous Reference C.F.M.(P) (45) 7th Meeting, Minute 1)

DR. WANG SHIH CHIEH said that on this day fourteen years ago Japan had started her war against China in Manchuria. He was happy that on this fourteenth anniversary of the beginning of the second world war, the Council was meeting to discuss peace settlements. They were happy; but they were also impressed with a sense of heavy responsibility. Although the work of the Council of Foreign Ministers was preparatory in character, some of the important peace problems would find a preliminary solution here. We must not make mistakes that might be the cause of another war. All agreed that peace and justice were inseparable. Peace was secured only when it was based on justice. But justice was a subtle thing. Opinion as to what was just or not often differed in a concrete issue. What might seem just to his American or British colleagues might seem unjust to his Soviet or French colleagues or to himself. The best thing for the Council to do was to ascertain the views of all those directly interested in the issues under consideration. The Council

⁶⁵ Yugoslav Vice Prime Minister.

⁶⁶ Yugoslav Minister of Information.

would consider these views carefully and with an open mind. This would enable them to avoid making mistakes, and would help them to reach complete and early agreement. It was for this reason that representatives of the Governments of Yugoslavia, Italy, Australia, New Zealand and South Africa had been invited to attend this meeting to present their views on the problem of the Yugoslav-Italian Frontier and Trieste.

He asked M. Kardelj to present the views of the Yugoslav Government.

Views of the Yugoslav Government

M. KARDELJ and M. LEONTIC made statements, the text of which is reproduced in C.F.M.(45) 26.⁶⁷

The Council agreed to meet again at 3:30 p. m. that afternoon to hear further statements from the representatives of the Yugoslav Government, and a statement from the representative of the Italian Government.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Ninth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 18, 1945, 3:30 p. m.*

C.F.M.(P) (45) 9th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes (Chairman)	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir Noel Charles	Mr. C. E. Bohlen	M. S. A. Golunski
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Hollington Tong	
AUSTRALIA	NEW ZEALAND	SOUTH AFRICA
Dr. H. V. Evatt	Mr. R. M. Campbell	Mr. Heaton Nicholls
YUGOSLAVIA	ITALY	
M. Edward Kardelj	Signor de Gasperi ⁶⁸	
M. Ljubo Leontic	(for Item (b))	
M. Sava Kosanovic	Count Carandini ⁶⁹	
	(for Item (b))	

⁶⁷ September 18, p. 229.

⁶⁸ Italian Foreign Minister.

⁶⁹ Italian diplomatic representative in the United Kingdom with the personal rank of ambassador.

ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE
(Previous Reference: C.F.M.(P) (45) 8th Meeting)

(a) *Views of Yugoslav Government*

M. KOSANOVIC made a statement, the text of which is reproduced in C.F.M.(45) 26.⁷⁰

(b) *Views of Italian Government*

At this point in the meeting, representatives of the Italian Government were admitted to the Conference Room.

SIGNOR DE GASPERI made a statement, the text of which is reproduced in C.F.M.(45) 27.⁷¹

At the end of his statement, Signor de Gasperi obtained the leave of the Council to submit through the Secretariat further statistical and other material in support of his case.

The Council agreed to meet again at 9 p. m. that evening to hear the views of Australia, New Zealand and South Africa.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 24

LONDON, 18 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH HUNGARY

The United Kingdom Delegation offer the following preliminary observations upon the Soviet Delegation's memorandum circulated to the Council as paper C.F.M.(45) 4.⁷²

2. The United Kingdom Delegation agree with the Soviet Delegation that the relevant Articles of the Armistice with Hungary signed at Moscow on 20th January, 1945, provide a basis for the drafting of certain parts of the Treaty of Peace with Hungary. The United Kingdom Delegation suggest that the action already taken by the Hungarian Government under Article 15 of the Armistice may make it unnecessary to repeat in the Peace Treaty the whole substance of Article 15.

⁷⁰ Yugoslav Minister of Information Kosanovic's statement, which was included as the third annex to C.F.M. (45) 26, September 18, p. 229, is not printed. Kosanovic confined himself to the general political aspects of the Adriatic problem and Italo-Yugoslav relations, reviewing the course of these relations during and since World War I, characterizing Italian policy during this period as "aggressive" and "chauvinistic", and proposing that peaceful and harmonious relations would only obtain in the Adriatic area if the ethnic frontier were adhered to.

⁷¹ September 18, p. 232.

⁷² September 12, p. 147.

3. Taking as a basis Article 1 (*d*) of the Armistice, the United Kingdom Delegation propose that the Peace Treaty should lay down the character and numbers of the armed forces which Hungary would be allowed to retain; should impose the necessary limitations upon the manufacture of war material in Hungary, and should provide for a small inter-Allied military Inspectorate to supervise the execution of the military clauses of the Treaty in succession to the Allied Control Commission which would be dissolved upon the entry into force of the Treaty.

4. The United Kingdom Delegation assume that on the conclusion of the Peace Treaty all Allied Forces will be withdrawn from Hungary, (except as may be provided for the maintenance of the lines of communication of the Red Army with the Soviet zone of occupation in Austria) and that all unused requisitioned goods and currency will be returned to the Hungarian Government.

5. The United Kingdom Delegation consider that the provision in Article 9 of the Armistice, governing the return of Allied vessels to their owners and compensation for their damage and destruction should be included in the Peace Treaty.

6. With regard to paragraph 2 of the Soviet Delegation's memorandum concerning Transylvania, the views of the United Kingdom Delegation are given in paragraph 9 of their memorandum on the Peace Treaty with Roumania circulated to the Council as Circular No. 21 (revised).⁷³

7. 8. 9. [Here follow texts the same, *mutatis mutandis*, as sections 10, 11, and 12 in Proposals for a Peace Treaty with Roumania (C.F.M. (45) 21), page 219.]

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 25

LONDON, 18 September, 1945.

PROPOSALS FOR A PEACE TREATY WITH FINLAND

The United Kingdom Delegation offer the following preliminary observations upon the Soviet Delegation's memorandum circulated to the Council as C.F.M.(45) 7.⁷⁴

2. The United Kingdom Delegation agree with the Soviet Delegation that the relevant Articles of the Armistice with Finland signed at Moscow on the 19th September, 1944, provide a basis for the drafting of certain parts of the Treaty of Peace with Finland. The United

⁷³ C.F.M. (45) 21, September 17, p. 219.

⁷⁴ September 12, p. 148.

Kingdom Delegation suggest that the action already taken by the Finnish Government under Article 21 of the Armistice may make it unnecessary to repeat in the Peace Treaty the whole substance of Article 21.

3. Taking as a basis Article 4 of the Armistice, the United Kingdom Delegation propose that the Peace Treaty should lay down the character and numbers of the armed forces which Finland should be allowed to retain; should impose the necessary limitations upon the manufacture of war material in Finland; and should provide a small inter-Allied Military Inspectorate to supervise the execution of the military clauses of the Treaty in succession to the Allied Control Commission which would be dissolved upon the entry into force of the Treaty.

4. The United Kingdom Delegation assume that on the conclusion of the Peace Treaty facilities of a military nature will no longer be required of the Finnish Government.

5. The United Kingdom Delegation consider that the provision in Article 18 governing the return of Allied vessels should be included in the Peace Treaty, together with a provision for compensation for their damage or destruction.

6.7.8. [Here follow texts the same, *mutatis mutandis*, as section 10, subsections i, ii, iii, v, vi, and viii, and sections 11 and 12 in Proposals for a Peace Treaty with Roumania (C.F.M.(45) 21), page 219.]

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

*Statements by Representatives of the Yugoslav Government to the
Council of Foreign Ministers*

C.F.M.(45) 26

LONDON, 18 September, 1945.

ITALIAN PEACE TREATY: YUGOSLAV FRONTIER AND TRIESTE

STATEMENT OF VIEWS OF YUGOSLAV GOVERNMENT

The text is attached of statements made on behalf of the Yugoslav Government by M. Edvard Kardelj, Vice Prime Minister of Yugoslavia, M. Ljubo Leontic, Yugoslav Ambassador in London and M. Sava Kosanovic, Yugoslav Minister of Information at the Eighth and Ninth Meetings of the Council held on 18th September, 1945.⁷⁵

⁷⁵ Only the statement of Vice Premier Kardelj is printed (see annex, p. 230). Ambassador Leontic's statement argued the Yugoslav case from the economic point of view. He reviewed the economic history of relationship between Trieste and its hinterland in the Julian March and concluded that the future of Trieste could only be secured by placing it under Yugoslav sovereignty and assuring its ties with adjacent territories in Yugoslavia. Regarding Minister of Information Kosanovic's statement, see footnote 70, p. 227.

[Annex]

*Statement by the Yugoslav Vice Prime Minister (Kardelj) to the
Council of Foreign Ministers*

[LONDON, September 18, 1945.]

The problem of the Julian March represents a two-fold issue for Yugoslavia. It is the extremely important economic and political issue of a country cut off by the Treaty of Rapallo⁷⁶ from its natural sea outlet and deprived of territories which have always formed part of its national entity, and at the same time it is an issue concerning two small nations—the Slovene and the Croat—who in the course of centuries have been fighting for their freedom and their unity against German and Italian Conquerors and who trusted that their aims would be realized during this war. In order to make this point even clearer I should like to remind you of the fact that the Slovene nation numbers only one and a half million people and that little over a million of them live in Yugoslavia while over half a million, that is one third of the Slovene, live within the borders of Italy and Austria. Accordingly the problem of the Julian March, for the Slovene nation is not a question of sentimentality nor is it a selfish tendency to expand its frontiers but it is a question of life, of normal development and of its very existence.

The territory which we request covers, according to the old Italian administrative division, the whole of the provinces of Trieste, Gorizia, Pula, and Fiume as a whole as well as part of the province of Udine. It also comprises the whole of the Zadar province in Dalmatia. The ethnic borderline between the Slovenes and Italians is a perfectly clearly determined one; it has undergone but little change in the course of the last five hundred years. Within this ethnically compact Slovene and Croat territory, an Italian minority inhabits only some of the towns along the sea-coast. Nowhere in this territory can one find Italian peasants. The total population living in this territory amounts to 970,000, including 650,000 Yugoslavs and about 320,000 Italians, Germans and others. One half of the Italians live in the city of Trieste, while the remainder inhabits the small sea-coast towns. In some of these towns the Italians constitute the majority of the population, while in others they are the minority, I repeat: East of the Italo-Yugoslav ethnic border the Italian minority does not inhabit a continuous territory, but lives only in isolated towns.

[Here follows an historical review of the ethnic relations in the Julian March emphasizing the continuing Slovene and Croat nature

⁷⁶ Treaty between Italy and Yugoslavia relative to territories, frontiers, etc., of the two countries, signed at Rapallo, November 12, 1920; for text, see League of Nations Treaty Series, vol. xviii, p. 388.

of most of the population of the area despite Italian efforts at settlement and Italianization.]

Jugoslavia puts forth only one claim; that the desire of the population of the Julian March to unite with their native land and their free brothers, to whom they are linked by ties of history, speech, culture and economic interests, be respected. In this war Jugoslavia has given her utmost to the Allies. One million seven hundred fallen Jugoslavs are sufficient evidence of that. Among them are the 42,000 from the Julian March. They died so that others may live in freedom. Is it possible to question to whom the Julian March should belong? Our entire people believe throughout the war that the liberation and unification of our people was one of the Allied principal war aims. The freedom of nations was the main watchword of the war. It would be a terrible blow to our people and their faith in the democratic aims of the war should this prove untrue. No one would be able to understand on the basis of what aims the Slovene and the Croat peoples would be thrown into slavery. For 13 centuries the Slovenes and Croates of the Julian March toiled as slaves of foreign masters and shed sweat and blood upon their native soil. Has not the time come for humanity to put an end to the tragic history of two small nations?

On the basis of all that has been stated, I have the honour to submit to the Conference of the Council of Foreign Ministers of the Five Great Powers in London, the following request with regard to the frontier between Jugoslavia and Italy:

1) The former Austro-Hungarian territory, inhabited mostly by South Slavs, and which was ceded to Italy after the first World War contrary to the principle of the self-determination of nations, should be joined to Jugoslavia.

2) As a basis for the determination of frontiers the former Austro-Hungarian frontier is taken, which is to be revised in certain places, so that the new frontier may to the greatest possible extent coincide with the ethnical boundary.

This frontier would start from the summit of Mount Roskofel (Monte Cavallo, 2239m.) located on the former and present Austro-Italian frontier and would descend towards the South along the watershed of the upper course of the Bela (Fella) River and its right tributary the Aupa River, that is across the summits of the Monte Cullar (1764m.) and Mount Zuc del Boor (2197m.), then across the Bela River between the railway stations of Na and Beli and Mozac. The line then continues South across the Mount Plauris (1959), Mount Lavre (Mount Lavera 1907m.) and Mount Kadi, and continues along the watershed between the rivers Tera (Torre) and Tagliamento (Tilment), that is, across the peaks of Mount Lanez (Cuel di Lanis 1631m.). The frontier then turns south-east so as to include the towns of Tarcent (Tarcento) and the whole territory of the municipalities of Nema (Nimis), Alten (Attinis), Fojda (Faedes), Torjan (Torreano) and Cedad (Cividale) and Cesta od Cedada (Cividale) up to Krmin (Cormons) should be part of Jugo-

slavia. The line here reaches the Idria (Judrio) River at the point of the Austro-Italian State frontier prior to 1918 and the subsequent frontier between the province of Gorica (Gorizia) and Udine (Videm). The line then follows the frontier between the province of Gorica and Trieste in the east and the province of Udine in the west, so that it follows mainly the course of the rivers Idria (Judrio), Ter (Torre), Soca (Isonzo) and along the northern and western borders of the municipality of Gradez (Grado) and finally reaches the Adriatic.

According to this, the former frontier would be revised in its southern sector in Italy's favour and its northern sector in favour of Yugoslavia. Such a frontier correction of the old Austro-Hungarian frontier would mean the cession to Italy of 198 square kilometres with a population of 28,000, while Yugoslavia would receive 900 square kilometres with a population of 80,000.

3) This line deviates from the ethnical boundary in three sectors: between Mount Roskofel (Monte Cavallo) and Lavra (Mount Laura), at certain points in the sector between Tarcento and Krmin (Cormons) and in the sector between the Idria (Judri) River and the Adriatic coast west of Trzich—this for economic, particularly communications reasons.

4) The city of Trieste is to receive the political legal status of a federal unit within Democratic Federative Yugoslavia.

5) Yugoslavia will extend to the Port of Trieste the status of a free port with the corresponding transit railway traffic facilities.

I reserve the right to submit in writing the above requests in detail, as well as all the other which pertain to the conclusion of the Peace Treaty with Italy.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Statement by the Italian Foreign Minister (de Gasperi) to the Council of Foreign Ministers

C.F.M.(45) 27

LONDON, 18 September, 1945.

ITALIAN PEACE TREATY: YUGOSLAV FRONTIER AND TRIESTE

STATEMENT OF VIEWS OF ITALIAN GOVERNMENT

The following is the text of a statement made by Signor de Gasperi on behalf of the Italian Government at the Ninth Meeting of the Council held on 18th September, 1945:—

“I shall endeavour to be as brief as possible. I thank you for having given the representative of democratic Italy this opportunity to speak. I will do so with all frankness, avoiding the time-worn tactics of submitting maximum proposals so as to be enabled to fall back on alternative ones. I will immediately refer to the sacrifices that we can and must make in the name of European solidarity and for the reconstruction of a better world, thereby implicitly excluding other

solutions that no Italian democratic Government could afford to agree to.

Our object is, above all, the re-establishment of our old friendship with Yugoslavia, torn asunder by the Fascist aggression that we anti-Fascist democrats deplored and condemned. During the 1914–1918 world war, at the cost of 600,000 dead, Italy not only freed Trento and Trieste but decisively contributed to the liberation of other oppressed peoples. The Italian people consider it an honour to be amongst the makers of the independence of the Serbs, Croats and Slovenes. I am before you to-day in the same spirit which prompted us during those days.

The frontier between the two countries was established through a free and mutual agreement between Italians and Yugoslavs embodied in the Treaty of Rapallo, ratified by the two democratic Parliaments of Rome and Belgrade. If Italian democracy had been able to apply the principles by which she was inspired, a series of linguistic guarantees and regional autonomies would have given to the ethnic minorities a secure national life. Unfortunately, however, the wave of nationalistic reaction swept over democracy and—from the episode of Fiume—Fascism was born, attaining power through violence and terror, and establishing itself throughout Italy. Yugoslavia rightfully complained of the oppression of her minorities and Venezia Giulia and sought vengeance for the fire of the Narodni Dom in Trieste. They are right. We can understand the affronts they are denouncing because we too have shared them. My newspaper in Trento was also burnt and sacked and I too was thrown in jail. Like many Italian and Slav anti-Fascists, within and without Italy, thousands of democrats, with no distinction of nationalities, had to live in exile. We certainly do not wish to hide any responsibility in this war, but it is a fact that the Italian people did their utmost to end the situation brought about by the dictator. On their side, the Yugoslavs can have some understanding of what our position was. They too, under Nedich and Pavelich,⁷⁷ have experienced what a ruthless dictatorship can mean. The overthrow of Fascism on 25th July and the Armistice of 8th September⁷⁸ enabled our soldiers in certain regions of the Balkans to furnish arms to the Slav and Balkan partisan bands and to join these in strong units. What closer bond could have been forged in order to cancel with bloodshed in common the ancient offences and to renew the friendship between the two democra-

⁷⁷ Milan Nedič, Prime Minister of the German puppet state of Serbia, 1941–45, and Ante Paveliç, Chief of State of the Axis puppet state of Croatia, 1941–45.

⁷⁸ For text of the Allied Armistice with Italy, signed September 3, 1943, and effective September 8, 1943, see *Treaties and Other International Acts Series No. 1604*, or 61 Stat. (pt. 3) 2740. For documentation regarding the negotiation of this armistice, see *Foreign Relations*, 1943, vol. II, pp. 314 ff.

cies? Why is it that at the moment of victory the "right of the first occupant" was imposed and thousands of Italians were deported from our soil and interned in Yugoslav camps? The Alexander-Tito agreement⁷⁹ provided for their repatriation, but in most cases Italian mothers are still living in anxiety, and horrible visions haunt them, thereby dividing men of good will. Let us unite to clear the atmosphere in which we live. Let us dispel these visions, let us regain our peace of mind, let us avoid mutual recriminations, submitting to an international body the control of the accuracy of the facts and the judgment of offences and atrocities past and present.

Democratic Italy strives to contribute to a fair solution. - She could refer to the Treaty of Rapallo, freely negotiated between the two countries before the rise of Fascism, which establishes the present boundary and guarantees the autonomy of Fiume as a "corpus separatum": but Italy is prepared to reconsider. An ideal ethnical line does not exist. Unfortunately, it is by now a European custom that in mixed areas both sides should not agree on statistics. In this regard, I recall a personal experience. In the many debates of the Austrian Reichstag on which I represented Trento Irredenta, the subject of statistics was most frequently raised but it was also the least agreed upon by the contesting parties, and therefore the least conclusive. This took place not only between Germans and Czechs, Poles and Ukrainians, Germans and Hungarians, but also between Italian and Slav members from the Adriatic coast. This does not imply that the Italian majority (according to reliable estimates approximately 550,000 Italians to 400,000 Slavs) residing in Venezia Giulia should have reason to fear statistics, and we are ready to submit all necessary technical data to support our thesis and to contest other claims. At this moment I only wish to state that the democratic Italian Government agrees that an attempt should be made in order that as many as possible Slav groups west of the present boundary be included in Slav territory—within, however, the limits indispensable to the vitality of Trieste and the other Italian cities, and provided this should not cause the economic collapse of the region. We cannot sever cities from the surrounding countryside nor from their aqueducts or the means of communications that connect Pola to Trieste. Within reasonable limits we are ready to recognise Yugoslav rights and interests, but it would not be just if the Arsa mines, that yield to Italy thirty per cent. of her national coal production, should be taken from her, nor that the bauxite beds, the only autarchic raw

⁷⁹ For text of the Anglo-American-Yugoslav agreement respecting the provisional administration of Venezia Giulia (the so-called Alexander-Tito agreement), signed at Belgrade, June 9, 1945, see Executive Agreement Series No. 501, or 59 Stat. (pt. 2) 1855. For documentation regarding the negotiation of this agreement, see vol. iv, pp. 1103 ff.

material existing in Italy, should no longer supply our aluminum factories, whilst Yugoslavia, notoriously an exporter of coal and bauxite, own 19 mines of anthracite, 202 of coal and lignites, and 82 of bauxite. We believe that a frontier based upon the Wilson Line might constitute a fair line of demarcation between the two countries. This line was conceived here in London and was subsequently developed in the course of friendly discussions amongst Italian democrats and Yugoslav *émigrés* during the 1914–1918 war. The same line, determined through a long series of studies based on a criterion of absolute impartiality, received the far-sighted support of President Wilson, who actually adopted it. The line of course implies a reciprocal legislation in order to guarantee the status of the minorities on either side of it, and equally implies that Fiume, a harbour at the disposal of the Yugoslav hinterland, should reacquire its ancient autonomy guaranteeing its natural character. It implies, moreover, that a renewed Italo-Yugoslav friendship, assured by international treaties, should protect the Italian character of Zara and other Italian minorities.

In stating our willingness to make these sacrifices, we are aware that we shall disappoint the expectations of many Italians and unwantingly inflict a painful blow on our compatriots living in the areas that would thus become separated from us. We are, however, prepared to take this heavy responsibility in order to contribute to the pacification of the Adriatic which, added to a possible demilitarisation and with an independent Albania, would thereby be assured. There remains the continental, or better still, the international function of the port of Trieste.

We are not against the internationalisation of the port of Trieste in the sense of admitting complete Customs' exemption for the harbour, supplemented by a series of other concessions in favour of the countries of the hinterland, and allowing above all to importers the processing there of raw materials in finished or semi-finished products. The structure and the amplitude of this form of international emporium would have to be exactly elevated by technical experts. It is obvious in this connection that such international cooperation must eliminate all harmful competition between Trieste and Fiume and be implemented by collaboration in the matter of railways, entrusted to the countries of the hinterland and to the Danube-Sava and Adriatic railways.

Before concluding, however, I consider it my duty to request that emergency measures be adopted in order to remedy the economic consequences of the establishment of the Morgan line. This line, by breaking in two an economic and industrial structure, not only makes it impossible for Italy to bring aid to 200,000 Italians (Fiume and

Zara included) on the other side of the above line in extremely difficult physical and food conditions, but forbids Italy from reactivating those industries vital to her economic structure. Unemployment and hardship have assumed alarming proportions; decisive and rapid intervention is imperative with regard to this question which, more than merely Italian, is a question of humanity and social justice”.

740.00119 Council/9-1845 : Telegram

The Acting Secretary of State to the Secretary of State, at London

WASHINGTON, September 18, 1945—6 p. m.

8118. Secdel 76. Part I. The following memorandum from the British Embassy concerning economic agreements recently concluded between the USSR and Rumania, Bulgaria and Hungary is transmitted for your information with the suggestion that you may wish to make it the subject of discussion in London. The Department's comments on the memorandum are contained in Part II of this telegram.

[Here follows the text of memorandum from the British Embassy, September 11, printed on page 123.]

Part II

The Dept is in general agreement with the broad political and economic aspects of the memorandum, recognizing that any action in regard to them must be governed by developments in London.

In regard to para 4 of the memorandum, the Dept recognizes the exclusive bilateral character of these barter arrangements; nevertheless, Dept feels that short term arrangements of this type may be required as emergency measures, and is not disposed to object as long as these arrangements do not prejudice the eventual participation of these states in a multilateral trading and financial system. Moreover, Rumania has already concluded similar agreements with Hungary and Bulgaria as has each of these three countries with some of its Danubian neighbors and other European states.

The Dept has considered the question of the agreements for economic collaboration which the Soviet Union is reported to have concluded with Rumania and Hungary. These agreements appear to give preferential status in these countries to the economic interests of the USSR and therefore to discriminate against the interests of the United States and of other countries.

The Dept feels that protection for American interests in Hungary, Rumania, and Bulgaria can best be obtained through the economic and commercial policy articles of the peace treaties with these countries. In order to insure that no misunderstanding arises regarding

the meaning of non-discrimination and most-favored-nation treatment, special paragraphs, not included in the suggestions for the peace treaty with Italy have been incorporated in the draft suggestions for the treaties with the three above-mentioned states, specifically as follows:

“General Economic and Commercial Relations.

“P. 1. Desiring to cooperate in the attainment of the objectives stated in preceding paragraph 39, the Government of Hungary, during a period of three years after the entry into force of this treaty, undertakes:

(a) To accord to the commerce of each signatory Allied State unconditional most-favoured-nation treatment with regard to:

- (1) All customs duties, charges and regulations of any kind;
- (2) All laws and regulations affecting the taxation, sale, distribution or use of imported articles within Hungary;
- (3) All aspects of any quantitative regulations which the Government of Hungary may impose on imports or exports; and
- (4) All aspects of any control which the Government of Hungary may establish over the means of international payment.

(b) To accord with respect to matters referred to in paragraph (a) above, unconditional most-favored-nation treatment to the nationals, corporations and associations of each signatory Allied State within the territory of Hungary.

(c) With respect to all matters affecting internal taxation or sale, distribution or use within Hungarian territory, to accord to the products of each signatory Allied State imported into Hungary treatment no less favourable than the treatment accorded like products of Hungarian origin.

(d) With respect to all matters affecting the internal taxation, sale, distribution or use of merchandise, export bounties, custom drawbacks and the warehousing of articles intended for importation or exportation, to accord to the nationals, corporations and associations of each signatory Allied State treatment no less favorable than the treatment accorded to the nationals, corporations and associations of Hungary.

(e) To accord unconditional most-favored-nation and national treatment to the nationals, corporations and associations of each signatory Allied State with respect to all matters pertaining to investment production, industrial activity, taxation and protection of property within the territory of Hungary; and to accord unconditional most-favored-nation treatment to the nationals, corporations and associations of each signatory Allied State with respect to the development of mineral, petroleum, and other natural resources within the territory of Hungary. The principles set forth in this subparagraph shall be understood to include the requirement that with regard to the sale, lease or other disposal of public lands, products or natural resources by the Government of Hungary, the Government of Hungary shall accord to the interests of each of the signatory

Allied States fair and equitable treatment as compared with the treatment accorded to the interests of any other country.

(f) To accord to the commerce of each signatory Allied State fair and equitable treatment in respect of the foreign purchase and sale of any product with respect to which the Government of Hungary maintains a monopoly, or other State enterprise.

"2. The provisions of paragraph 1 (a) and (f) above, shall be understood to preclude the Government of Hungary from establishing or maintaining any system of governmental operation which would involve, or control over foreign trade which would require, whether formally or indirectly:

a) the sale, or offer for sale, of any product for export from Hungary to any foreign country, at a price lower than the comparable price at which the like product can be sold for export from Hungary to any third country which is a signatory Allied State: or

b) the purchase, or offer to purchase for importation into Hungary, of any product of any foreign country at a price higher than the comparable price at which the like product can be purchased for importation into Hungary from any third country.

"3. Hungary shall not be obligated to accord the treatment provided for in the foregoing paragraphs to any signatory Allied State which does not in fact accord in like matters reciprocal treatment to Hungary, it being understood that the reciprocal treatment herein provided for is subject to the exceptions customarily included in the commercial treaties of such Allied State and of Hungary. It is further understood that Hungary shall be free to adopt, notwithstanding clauses (3) and (4) of paragraph 1(a), above, such measures as may be necessary to ensure the importation into Hungary of goods essential to Hungarian civilian life and to the reconstruction of the Hungarian economy. However, Hungary undertakes to give effect to the provisions of these clauses to the maximum extent possible.

"4. The provisions of this Article shall supersede any other treaties, agreements, or arrangements which are inconsistent with the provisions of this Article, and which Hungary may have concluded with any State party to the present treaty. Furthermore, Hungary undertakes to seek the termination of any other treaties, agreements, or arrangements which are inconsistent with the provisions of this Article and which Hungary may have concluded with any other State."

Paragraph 4 above, which provides for the abrogation of any arrangements inconsistent with the principles of most-favored-nation and non-discriminatory treatment, would give this Govt a sound basis for protesting against any discriminatory provision of the agreements concluded between the USSR and Rumania and Hungary. It is suggested that a strong position be taken in support of the inclusion in the peace treaties of the language in paragraph 4 of quoted section above.

ACHESON

740.00119 Council/9-1845 : Telegram

The Acting Secretary of State to the Secretary of State, at London

WASHINGTON, September 18, 1945—7 p. m.

8121. Secdel 73. Although specific Greek claims against Italy have already been submitted to the Council of Foreign Ministers, the Greek Ambassador⁸⁰ reiterated to me in a call September 17 his Government's view that, in principle, Greece richly deserves some reparations from Italy. The Ambassador said that despite the unstable Italian economic situation, Greek needs are sufficiently pressing to warrant the granting of certain Italian produce and merchant shipping, and his Government felt this should be possible without upsetting the Italian economy. I emphasized the critical state of the situation in Italy and the danger of a complete breakdown if substantial amounts of goods were to be removed for reparations.

The Greek Ambassador informed me regretfully, though unofficially, of his imminent departure from Washington to become Director General in the Greek Ministry of Foreign Affairs.

ACHESON

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Tenth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 18, 1945, 9 p. m.*

C.F.M.(P) (45) 10th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir Noel Charles

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. S. A. Golunski

FRANCE

M. Bidault (Chairman)
M. Couve de Murville
General Catroux

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Victor Hoo

AUSTRALIA

Dr. H. V. Evatt

NEW ZEALAND

Mr. R. M. Campbell

SOUTH AFRICA

Mr. Heaton Nicholls

YUGOSLAVIA

M. Edward Kardelj
M. Ljubo Leontic
M. Sava Kosanovic

1. ITALY: PROCEDURE FOR PREPARING PEACE TREATY

(Previous Reference: C.F.M.(P) (45) 5th Meeting, Minute 2)

Before stating the views of the Australian Government on the problem of the Yugoslav Frontier and Trieste, Dr. EVATT referred to

⁸⁰ Cimon P. Diamantopoulos.

the procedure for consultation with Governments not represented on the Council which were directly interested in the peace settlement with Italy.

DR. EVATT recalled that at the Council's meeting that morning (C.F.M.(P)(45) 8th Meeting) the Chairman had said that the best way to secure just and peaceful settlements was to have wider and more open discussions with all interested parties. He welcomed this statement and particularly the fact that this meeting of the Council, facing an important issue of territorial adjustment, was hearing the views, not only of the countries directly interested, but also those whose claim to be heard was founded on the fact that they had been active belligerents in the war.

That applied to Australia because from the date of the outbreak of war in 1939 she had been engaged in total war both in Europe and in the Pacific. Her interest did not spring from any territorial claim, but from the heavy sacrifices she had made as a belligerent, and the fact that for ten of the last thirty years she had been actively engaged in wars which actually broke out in Europe. She therefore claimed the right to participate, to some reasonable degree, in the settlement of European questions and was glad to have an opportunity of putting her views before the Council.

The specific question on which Australia has been asked to give her views was, however, only one aspect of the peace settlement with Italy. As all members of the Council were aware, the claim made by Australia and other States in her position was that it would be wiser, and more expedient, and certainly more just, that some arrangement should be made for such countries to be heard on all aspects of the Italian peace settlement, either by expressing their views orally to the Council, or by being assured that any draft treaty prepared by the Council would be open to full review by a Conference of all States which had from the beginning been active belligerents in the war.

It was almost as important that the procedure for reaching the peace settlement should be just as that the settlement itself should be just. This procedure should be democratic, and participation in it should not be limited to the great Powers. President Wilson had said that peace covenants should be openly arrived at. This was not practicable to the fullest extent, but the principle behind it was practical. The Dominion of Canada was not present at this meeting of the Council because her Government desired recognition of a broader principle of consultation than that implied in an invitation to express views on one particular aspect of the settlement. He made this claim, not on behalf of Australia only, but on behalf of all countries not represented on the Council which had made a substantial contribution to

Italy's defeat. They were not many in number—there were many nominally at war with Italy, but only a few had taken an active part in the fighting—and he hoped that the Council would devise a regular procedure for bringing them into consultation.

MR. CAMPBELL, in the course of his statement on the problem of the Yugoslav-Italian Frontier, said that the Government of New Zealand, as one of the active belligerents seeking a just and enduring peace, were vitally interested in the terms of the peace settlement with Italy; and claimed a right to take part in the preparation of the Peace Treaty.

MR. HEATON NICHOLLS, in the course of his statement, said that, on behalf of the South African Government, he joined with the representatives of Australia and New Zealand in asserting the right of his Government to express their views on all aspects of the peace settlement with Italy. Those countries which had made a substantial contribution towards Italy's defeat and would share in the future burden of maintaining world peace were entitled to be consulted in the preparation of the Peace Treaties.

M. BIDAULT said that the Council of Foreign Ministers would bear in mind the claims put forward by the Governments of Australia, New Zealand and South Africa to be consulted on other aspects of the peace settlements with Italy.

2. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE (Previous Reference: C.F.M.(P) (45) 9th Meeting)

Views of Governments of British Dominions

The views of the Australian Government on this question were stated to the Council by Dr. H. V. Evatt. A summary of Dr. Evatt's statement is being circulated separately as C.F.M.(45) 28.⁸¹

The views of the New Zealand Government were stated to the Council by Mr. R. M. Campbell. The text of Mr. Campbell's statement is reproduced in C.F.M.(45) 29.⁸²

⁸¹ The summary of Dr. Evatt's statement is not printed. He proposed that the ethnographical line be adopted as the frontier between Yugoslavia and Italy and that Trieste should be demilitarized and placed under the control of an international body on which both the Italian and Yugoslav Governments would be represented and with which might be associated an advisory body representing the population of Trieste itself. Dr. Evatt's draft proposals for an international body to control Trieste were set forth in C.F.M.(45) 32, September 20, p. 284.

⁸² The summary of Mr. Campbell's statement is not printed. He stated that New Zealand would support a Yugoslav-Italian frontier based on the ethnic line, reducing to a minimum the number of Yugoslavs and Italians in the territory of each other. As to Trieste, the New Zealand Government felt that forming Trieste, and such adjacent territory as might be expedient, into a separate enclave under the protection of the United Nations was the least objectionable of the possible alternatives.

The views of the South African Government were stated to the Council by Mr. Heaton Nicholls. A summary of Mr. Nicholls' statement is being circulated separately as C.F.M.(45) 30.⁸³

Further Views of the Yugoslav Government

M. KARDELJ made a further statement in reply to the views expressed by the representative of the Italian Government at the Council's meeting that afternoon (C.F.M.(P)(45) 9th Meeting).

A summary of M. Kardelj's statement is being circulated separately as C.F.M.(45) 31.⁸⁴

3. AGENDA FOR ELEVENTH MEETING OF THE COUNCIL

The Council decided to hold their next meeting on Wednesday, 19th September, 1945 at 11 a. m., and agreed that they should then resume their discussion of the Italian Peace Treaty, dealing particularly with the problem of the Yugoslav-Italian Frontier and Trieste, and Reparations and Economic and Financial Matters (Sections VI and VII of the memorandum by the United States Delegation C.F.M. (45) 16.⁸⁵

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

The Netherlands Ambassador in the United Kingdom (van Verduynen) to the Chairman of the Council of Foreign Ministers ⁸⁶

LONDON, [September 18, 1945.]

I have the honour, under instructions received, to request Your Excellency to inform the Council of Foreign Ministers that the Netherlands Government wish to have the fullest opportunity of taking part in any discussion which may take place in the Council referring to the determination of the Western boundaries of Germany or any part thereof.

I may add that the Netherlands Government have in July last notified the American, British, French and Soviet Governments of the desire expressed above.

⁸³ The summary of Mr. Nicholls' statement is not printed. Although South Africa was not concerned with the Yugoslav-Italian frontier problem and did not offer any advice on the question, it did urge that Trieste should become a free port, open without hindrance on equal terms to the commerce of the world.

⁸⁴ September 19, p. 258.

⁸⁵ Dated September 14, "Suggested Directive to Deputies . . .", p. 179.

⁸⁶ Circulated in the Council of Foreign Ministers as document C.F.M.(45) 39, September 21, 1945, "Western Boundaries of Germany: Views of the Netherlands Government". Source text bears no signature.

740.00119 Council/9-1945

*Memorandum of Conversation, by Mr. Charles E. Bohlen, Special
Assistant to the Secretary of State*

[LONDON,] September 19, 1945.

Participants: The Secretary
Mr. Dunn
Mr. Bohlen
Mr. Molotov
Ambassador Gusev
Mr. Pavlov

MR. MOLOTOV said he had come to see the Secretary in order to inquire what the prospects were for the discussion concerning the Balkan treaties.

THE SECRETARY replied that, as he had told Mr. Molotov on Sunday, he was prepared then, but would have to state his position which Mr. Molotov knew; namely, that they could not sign treaties with the governments that they did not recognize. He said it was still his hope that some solution would be found which would permit us to clear up this troublesome question.

MR. MOLOTOV said that he wished to make it clear that the Soviet Union looked upon the treaties with all the Axis satellites including Italy in the same way. The Soviet Government could not discriminate in any way against these various satellites. He said in regard to Rumania, Finland, and Hungary the United States was already a signatory, and that the Soviet Government was proposing nothing new. He said he was forced to tell the Secretary that if the United States refused to sign the treaties with Rumania and Bulgaria, the Soviet Union could not sign the treaty with Italy.

THE SECRETARY said that he had come to see Mr. Molotov on Sunday in order to discuss privately this difficult question. He said he had nothing to add to what he had said then; the President had made his opposition clear at Potsdam, and that we had since then looked into the question more fully, and had become more than ever convinced that we could not recognize these governments. He was sorry that this was so, but he knew that if he was to present a treaty with these governments for ratification to the United States Senate, they would immediately ask whether he could assure them that these governments were representative. That he would be unable to do, and the Senate would not ratify any treaty under those conditions. He added that in regard to Finland and Italy, the situation was quite different and demonstrated how impossible it was to consider all these states in

one category. He said in these countries it appeared to us that the governments were representative and imposed no restrictions on political life. He said in Bulgaria and Rumania, however, we were denied the opportunity of obtaining the necessary information on which to convince ourselves concerning these governments. He said in regard to Hungary, we were still conducting our investigation as to the character of that Government. He wished, he said, to repeat what he had said on Sunday: that the United States had no desire to see the formation of governments hostile to the Soviet Union in these countries.

MR. MOLOTOV replied that he did not believe this was so.

THE SECRETARY said he must believe it, and that he must also understand that our Government had to take cognizance of the Senate in our own country. If we were to recognize these governments, our people would consider that we had acted contrary to the spirit of the Yalta Declaration. If some changes could be made which would render these governments representative, the elections held—this would be greeted with joy in the United States, and it would permit him to defend the Soviet position as he would like to be able to do.

MR. MOLOTOV answered that since he knew less than Mr. Byrnes about the Senate of the United States, he would not comment; but that he did know well enough the internal situation in the Soviet Union, and he could assure Mr. Byrnes that if they signed a treaty with Italy and not with the neighboring satellite states, the Soviet Union would not accept it. He added he was unable to understand the Secretary's position since it was obvious that the Rumanian government was more democratic than the Italian. He added that he had looked into the matter of United States correspondents in Rumania, and discovered that there were seventeen, aside from British correspondents, whereas there were only two Soviet correspondents. He said that if the Rumanian Government could not satisfy all the whims of the United States correspondents, that could only be a pretext for our displeasure. The most important thing was the feelings of the people, and the people were overwhelmingly for their present government. He said the only reason that he could find for our attitude was that the present government was friendly to the Soviet Union, and that the United States did not want that. If that were true, it was very sad, but the Soviet Union could never tolerate a hostile government. He pointed out that the United States and Great Britain had supported the former government of Radescu which had been hostile to the Soviet Union, but was unwilling to support the friendly government. He said if this was the attitude of the United States, it was better to say so frankly.

THE SECRETARY replied emphatically that there was not a grain of truth in that, and that we had not recognized the Groza Government because of the manner in which it had been established and its subsequent actions, and had no reference whatever to their attitude toward the Soviet Union. He recalled that Mr. Vyshinski had given the King two and a half hours to install Groza. He said there had been no change in the view of the United States Government since that time. He went on to say that he felt one of the troubles was that Soviet representatives on the spot provided Mr. Molotov with different information than the United States representatives sent him. He said if he had any such ideas of hostility to the Soviet Union that he himself would not be having this friendly talk with Mr. Molotov nor entertain the feelings of friendship he had for the Soviet people. Just because it was impossible for our countries to agree on one question, it was entirely unjustified to attempt to read into that hostile intentions. He recalled that for weeks and weeks after Yalta we had discussed Poland and had eventually reached a solution which gave various parties in Poland adequate representation. He said no one would be happier than he if some such solution would be found in this connection. He said he thought of no one connected with the Italian Government nor with the Rumanian Government, and that it was not a question of the people in authority but of representative temporary governments. He continued that when he came into the Department he was new and did not know our representatives, and he had wondered whether some of the reports might not be colored. But since then he had checked with the reports of our military members of the Control Commission, with the press, and with all our State Department representatives, and he found that they all coincided, and therefore he had naturally come to the conclusion that they were accurate. He emphasized that the United States desired nothing but friendship with the Soviet Union since we were convinced that the whole future of the world rested on us two. And he wished to plead with Mr. Molotov to endeavor to find some representative Rumanian figures who would at the same time be friendly, and thus permit this matter to be straightened out.

MR. MOLOTOV replied that possibly the Secretary had Maniu⁸⁷ and Bratianu⁸⁸ in view when he spoke of "representative" Rumanians not in the government.

THE SECRETARY replied that he had no particular individuals in mind, nor any particular party.

MR. MOLOTOV replied that he would like to submit for the Secretary's verification his next statement if he had any doubts; namely,

⁸⁷ Iuliu Maniu, President of the Rumanian National Peasant Party.

⁸⁸ Constantin Bratianu, President of the Rumanian Liberal Party.

that when the Groza government was formed Maniu and Bratianu had been invited to join, but had refused on the grounds that they had not been offered enough posts. The Social Democrat, Peasant, Communist, and Liberal Parties representatives as well as non-party people were in the government.

THE SECRETARY said all he was trying to say was that in our view this government had been imposed upon Rumania over the King's objection by our good friend Mr. Vyshinski, and that furthermore according to our information, when the Agrarian Party, for example, attempted to hold meetings and put forward its candidates, the militia broke up the meetings and put forward persons not representative of the party. He said he did not believe the Soviet Union would care to be associated with such actions.

MR. MOLOTOV said that was true. He went on to say in regard to Poland it had been a different question: there were two governments and the discussion finally came down to two figures, Mikolajczyk⁸⁹ and Arciszewski,⁹⁰ and he would like to know who in Rumania the Secretary had in mind. He repeated that Maniu and Bratianu had been offered a place but had refused. He said with respect to his colleague Mr. Vyshinski, he had been pleased to hear the Secretary's expression of friendship for him, but felt that he exaggerated his role in Rumanian affairs. He said that in confidence he could say it was true that Mr. Vyshinski had helped in the formation of the Government; that had even been published, but that if the Soviet Government had not helped the Rumanian, there was very serious danger of disorder and civil war. He said he seemed to recall that the United States and Great Britain had acted the same way in Italy without any protest from the Soviet Government. He went on to say that he had not noticed that the United States had in any way interfered with Great Britain when she established an entirely undemocratic government in Greece, but had even agreed to be connected with the elections and thus covered with its broad back the undemocratic actions of the Greek Government.

He added that the United States was helping Britain in every way in all sorts of dubious and unlovely affairs. He repeated that the Polish formula was not suitable. He then said that if the Secretary felt it necessary to express his views on the Government in Rumania, then the Soviet Government would have no alternative but to express

⁸⁹ Stanislaw Mikolajczyk. Prime Minister in the Polish Government in Exile at London, June 1943–November 1944; Deputy Prime Minister and Minister of Agriculture in the Polish Provisional Government of National Unity from July 1945; leader of the Polish Peasant Party.

⁹⁰ Tomasz Arciszewski, Prime Minister of the Polish Government in Exile at London from November 1944.

its views with regard to the policy of the United States toward Rumania.

THE SECRETARY said he could have no objection to Mr. Molotov's saying what he wished.

MR. MOLOTOV replied that he did not wish to do so, but that the United States left them no alternative.

THE SECRETARY stated that such a discussion would give him no pleasure, and that was why he had come to see Mr. Molotov privately in order to discuss these matters calmly and avoid public discussion on matters on which we were not in accord. He added that the whole world knew our position in regard to the Rumanian and Bulgarian Governments, and that he was therefore adding nothing new, and that there therefore had been no change in American policy.

MR. MOLOTOV suggested why not wait until after elections and then there would be a government with which these treaties could be concluded. He said that the present attitude of the U.S. Government was in distinction of that of President Roosevelt, who had been friendly to the Soviet Government.

THE SECRETARY repeated that there had been no change, and that our position in regard to Rumania had been set soon after Yalta.

As to Greece, he said that President Roosevelt, Marshal Stalin, and Prime Minister Churchill had reached an agreement at Yalta in respect to policy in Liberated Europe in which we had agreed to help in the conduct of elections in order to insure a representative government. He said that we had agreed to help supervise the elections in Greece not from any desire to serve Britain's interest nor for any other reason except to redeem the pledge given by our late President, and that we were sending in the best people we could find, of the highest character who would report nothing but the truth. He repeated that it was only in conformity with our agreement at Yalta that we were sending people to Greece.

MR. MOLOTOV asked why we were demanding the reorganization of the Rumanian Government, but not of Greece which was much less democratic. He repeated that we were backing the British in every way, and that there had been a change in policy from that of Roosevelt's.

THE SECRETARY repeated that there had been no change, and that we had agreed to help supervise the Greek elections in accordance with the pledge made by President Roosevelt himself.

MR. MOLOTOV said that the Soviet Union had refused to be involved in the dirty business in Greece, and concluded that he would not burden the Secretary further.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Eleventh Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 19, 1945, 11 a. m.*

C.F.M.(P) (45) 11th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper
Sir N. Charles

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand
M. Fouques Duparc

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE (Previous Reference: C.F.M.(P) (45) 10th Meeting, Minute 2)

The Council discussed the question of the Yugoslav-Italian frontier and Trieste in the light of the views expressed at the meeting on the previous day by the Governments of Yugoslavia, Italy, Australia, New Zealand and South Africa.

MR. BEVIN said that the problem for the Council was to devise a settlement which would secure for the population of the Julian March the means of peaceful development. He hoped that the Council would accept the principle that the peace settlement should be so designed that no nation could use racial differences to promote further conflict. He found it difficult to believe, from his experience of working people over the last 35 years, that the people themselves wished for these conflicts; and he believed that it should be possible to find a solution of this particular problem which would enable the two peoples in this area to live peacefully together.

As regards Trieste, after hearing the views expressed to the Council on the previous day, he still felt that it would be wrong to remove this city from the control of Italy. Trieste should continue to form part of Italy, and handle the Italian transit trade, but it could at the same time, as a free port, serve as a transit port for central Europe. The proposals put forward by the British Delegation (paragraph 5 of C.F.M.(45) 3⁹¹) were designed to maintain the connection of Trieste with both Italy and central Europe, so that the products of industry and commerce in North Italy could continue to flow through Trieste and at the same time the trade of central Europe could have an outlet

⁹¹ September 12, p. 135.

to the Adriatic under proper control. This proposal should not be rejected on the basis of Trieste's history between the two wars, because this was due to the deliberate policy of Germany. One should now be able to assume that the Great Powers would refrain from arousing bitterness between the two peoples which would hinder the natural development of the port of Trieste.

The views put before the Council by the Governments whose representatives had been heard on the previous day did not lead him to suggest any modification of the proposals originally put forward by the British Delegation.

M. Molotov said that the Soviet Delegation were not bound by any document submitted or decision taken before hearing the views of the countries concerned. Nor were they bound by any obligations assumed without the knowledge of the parties concerned. The Council should consider this problem impartially. From the statements made to the Council on the previous day he had derived the impression that the Governments of Australia, New Zealand and South Africa favoured the Yugoslav claims rather than those of Italy. He himself felt that if the Yugoslav representatives had advanced only half the arguments which they had put forward, these would have given sufficient reason for the Council to view their claims with sympathy.

The Soviet Delegation felt that in seeking a settlement of this problem the Council should be guided by two principles:—(a) Their task, in accordance with the Atlantic Charter, was to secure to every nation conditions enabling it to live according to its wishes and with its national interests unimpaired. (b) Their task was to lay the foundations of an enduring peace, not merely to meet the passing needs of the moment.

After the last war this territory was ceded to Italy. It was now clear that this action could not be justified, since the territory was not truly Italian. Any British or American soldier who had spent a month in this area could say that even now the population was not Italian, in spite of Mussolini's efforts to increase the number of Italians living there. Nor could Italy claim the territory because of a shortage of ports; Italy had enough ports without Trieste, which under Italian control had fallen into an economic decline. Arguments based on Italy's need for coal and bauxite were not convincing, since these could be obtained by international trade and trade agreements.

The transfer of the Julian March to Italy would be annexation by a foreign power, in pursuance of that policy of eastward expansion at the expense of the Slav peoples which had been followed by both Germany and Italy. This was the policy, long followed by the rulers of Germany, which had culminated in Hitler's seizure of the Ukraine and had further expression in Mussolini's plans to expand at the ex-

pense of the Slav peoples in Europe. This policy was based on the false doctrine of superior and inferior races, which had been utterly discredited in the course of this war. It was no accident that this war had been won by those who rejected this racial theory. It was no accident that this Council of Foreign Ministers consisted of representatives of the five nations who had not smeared their hands with this racial fallacy, which amounted in fact to no more than a policy of territorial aggrandisement through aggression.

After the last war Italy had, for the part she had played, received more territory than she needed. What claim could she found on her part in this war, in which she had fought for the most part against the Allies? He was ready to believe that the spokesman of the Italian Government who had appeared before the Council the previous day represented a democratic Italy which had rejected the racial policy and the policy of aggression adopted by Fascist Italy. Why, then, should Italy now pursue, in respect of the Julian March, the path of territorial ambition which Mussolini had followed?

It was no accident that both in the last war and in this Yugoslavia had been on the side of the Allies. Yugoslavia had no aggressive designs and claimed only what rightly belonged to her people. Yugoslavia had a rightful place among those who defended the independence of nations. The services rendered by Italy after she broke away from Germany could not be compared with those of Yugoslavia. No single country had made more sacrifices than Yugoslavia in the struggle against Germany.

As regards Trieste, he did not think it possible that this town should be detached from the Yugoslav hinterland, whose population was predominantly Slovene and Croat. When Trieste had been detached from this hinterland, it had fallen into an economic decline; and its detachment could not therefore be justified on economic grounds.

Any preliminary decisions reached by the Council on this matter must be fully checked in detailed study, as must the statements and claims made by the Yugoslav and Italian Governments; and in the light of this further study it might be found necessary to modify any preliminary decisions now taken. He felt, however, that in reaching such preliminary decisions the Council should be guided by three considerations:—(a) that, as provided in the Atlantic Charter, human rights and self-government must be restored to those who had been forcibly deprived of them; (b) that the Council must strive to establish good relations between Yugoslavia and Italy, in the interests both of these two countries and of all peace-loving nations; and (c) that any decision reached should be designed to establish a lasting peace, both in this particular area and in Europe as a whole.

M. BIDAULT said that France had no major material interest in this problem and approached it from a disinterested point of view. Both the Yugoslav and Italian peoples were friends of France. In his view the solution of this problem should be based on the requirements of a lasting peace, common-sense, a spirit of conciliation, and the rights of nations as laid down in the Atlantic Charter.

The Council appeared to be already agreed on the following points:—

(i) They recognised the heroic courage of the people of Yugoslavia in resisting invasion and liberating their territory.

(ii) They would take into account the grievous mistakes made in this area by Fascist Italy over a long period.

(iii) The frontier should be based on ethnical data, viz., the nature of the population, the language and the will of the people, economic considerations being secondary.

(iv) Trieste had a large Italian majority, but there was a large Slovene and Croat majority in the hinterland.

(v) The port of Trieste should be a free port, equally accessible under international control to all countries.

There were two outstanding points on which the Council were not yet in agreement:—

(i) The actual line of demarcation between Yugoslavia and Italy. This could not be settled in detail at the present Conference. Could they not agree, however, in principle that the line should be determined on ethnical data?

(ii) The question of political sovereignty over the city of Trieste. Here the facts were clear. The population of Trieste had been predominantly Italian for a long time and, subject to provision for the freedom of the port, there should be no question that political control of the city of Trieste should remain with Italy. The minimum number of Yugoslavs should be left in the city and adjustments might therefore have to be made. The Council should seek a solution which would leave as few Italians as possible in Yugoslavia and as few Yugoslavs as possible in Italy. That was both their interest and their duty.

MR. BYRNES said that the United States Delegation were not committed to any fixed view on this matter. They had not discussed it with representatives of any other country and he only knew the views of other countries as he had heard them at the Conference on the previous day and in various communications which had been addressed to him. Like his colleagues, he sympathised with the views of Yugoslavia and could readily believe that under Mussolini's regime Yugoslavs in Italy had been badly treated. Nor could the Yugoslavs be expected to forget the wrongs which had been done to them before the war or the sufferings which they had endured during the war. But none of the Governments represented on the Council wanted to reach a settlement based on a spirit of revenge. He agreed with M. Molotov

that they should be guided by the interests of the two countries concerned and by the needs of an enduring peace. While he agreed that ethnical factors were of primary importance, he thought it essential that some consideration should be given to the economic factors. The difficulty was to find any line that did not leave Yugoslavs on the Italian side and Italians on the Yugoslav side.

As regards Trieste, Mr. Byrnes said that the prosperity of the port had declined in the period between the wars, not because it had been separated from Yugoslavia in 1919, but because it had lost its commercial hinterland on the break-up of the Austro-Hungarian Empire. Since 1918 it had acquired an alternative commercial hinterland in north-east Italy, which it would lose if it were now to be transferred to Yugoslavia. Yugoslav trade could not support adequately both Fiume and Trieste. Trieste was not dependent on its immediate hinterland, which was mountainous and not industrialised, and it must inevitably depend on long-range traffic from north-east Italy, Austria, Hungary and Czechoslovakia. It could therefore live under Italian rule with a narrow hinterland if it were made into an international port and trade and commerce through it became free. Such a solution would be in accordance with what M. Bidault had said about placing the greatest emphasis on ethnic factors, and would also serve to reduce the irritation which was bound to result from any settlement of this problem.

As regards the frontier, Mr. Byrnes said that he would put in a map ^{91a} showing a line drawn to carry out as far as possible the views which he had expressed. From the north the line would follow the western boundary of the province of Venetia Giulia to a point just north of Gorizia, leaving that town to the Italians. The line would then go south-east along the mountains, leaving Trieste to Italy. It would then divide the Istrian Peninsula, leaving the larger part of it to Yugoslavia and reaching the sea-coast at Fianona. This line would leave the areas which were solidly Yugoslav in Yugoslavia and the areas which were solidly Italian in Italy, with a few slight adjustments which on balance would be more favourable to Yugoslavia than to Italy.

M. MOLOTOV said that he would study Mr. Byrnes's proposal carefully. He also wished to put forward for consideration the following preliminary proposals:—

(i) The frontier between Italy and Yugoslavia should be based on ethnical principles in such a manner as to leave the smallest number

^{91a} The proposed Italo-Yugoslav frontier line discussed by the Secretary at this meeting of the Council was drawn for his use by the American delegation on a sketch map obtained from the Research Department of the British Foreign Office. The map is reproduced facing this page. A more detailed map of the proposal was subsequently prepared by the American delegation but was not distributed to the Council.

ITALO-YUGOSLAV FRONTIER

0 5 10 15 20 MILES
0 5 10 20 30 KM



of Italians in Yugoslavia and the smallest number of Yugoslavs in Italy.

(ii) As Trieste was the centre of a territory with a Slovene and Croat population, and had vital interests in Yugoslav territory, the city should be ceded to Yugoslavia on condition that it became a Federal unit of that country with full protection for the rights of the Italians.

(iii) The port of Trieste should be a free port administered by an international commission, including representatives of Yugoslavia, Italy, Austria, Hungary, Czechoslovakia and other countries concerned.

(iv) The Yugoslav Government should be invited to submit to the next session of the Council of Foreign Ministers a list of economic, transport and customs measures designed to safeguard international trade through Trieste and adequate transport facilities onwards.

MR. BEVIN said that, like other members of the Council, he wished to make it clear that his Government had not discussed this question with any other country and were not committed in any way. The Yugoslav Ambassador had left with him an *aide-mémoire* setting out the attitude of the Yugoslav Government, mainly on the lines which the Council had heard on the previous day. He had thought it his duty to study this *aide-mémoire* as he had decided to put draft proposals before the Council and he had put his proposals as clearly as he could in paragraphs 5 and 6 of the draft heads of a Treaty with Italy (C.F.M.(45) 3). He must also make it clear that the British Government were not bound by any secret treaties concluded during the last war. The British Labor Party had prophesied at the time that Italy was advancing her frontier too far into Yugoslavia and would produce the situation with which they were now confronted. He was anxious that no similar error should be made this time.

MR. BEVIN said that all the members of the Council were agreed that the line should be determined by reference to the ethnical principle and it only remained to establish the facts. The only question remaining for settlement was that of the future of the city of Trieste, since they were all agreed that the port of Trieste should be a free port under international control. The only remaining potential cause of an irredentist movement was the city and area of Trieste. As the population of the town had been mainly Italian for so long, the British Delegation took the view that the city should remain part of Italy, provision being made for securing that the Yugoslav area of the city would be as far as possible an autonomous area so that friction might be avoided and the minority problem reduced to a minimum. On the previous day they had heard little or no evidence of differences between the Yugoslavs and Italians in Trieste. Most of the outrages had occurred in the country districts where the Italians had been trying to extend their influence.

The Council agreed to resume their discussion of this question at their next meeting.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Twelfth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 19, 1943, 4 p. m.*

C.F.M.(P) (45) 12th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. A. Harriman	M. S. A. Golunski
Sir N. Charles	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Victor Hoo	
M. Alphand	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE (Previous Reference C.F.M.(P) (45) 11th Meeting)

MR. BYRNES suggested that the Council might now refer this problem for detailed study by the Deputies, who could submit their recommendations to the Council at their next Conference. He handed in draft terms of reference for this purpose.⁹²

M. MOLOTOV suggested that it might be made clear in the terms of reference to the Deputies that the question of the sovereignty of the city of Trieste was not prejudged and could be discussed further by the Council when they received the Deputies' report. MR. BEVIN said that sovereignty over Trieste would be determined by the line as a whole. M. MOLOTOV reiterated his belief that the question of sovereignty should not be decided now. MR. BYRNES said that nothing was pre-judged by the terms of reference which he had proposed: the whole of the recommendations to be made by the Deputies would be open to discussion by the Council at their next Conference: and in these circumstances he thought it would be preferable not to single out for special mention the question of sovereignty over the city of

⁹² The Secretary of State's draft terms of reference read as follows: "(1) to report on the line which as closely as is practical will be the ethnic line, leaving the minimum under alien rule (2) to report on an international regime which will assure that the port and transit facilities of Trieste will be available for use on equal terms to Yugoslavia, Italy, and the states of Central Europe." (United States Delegation Minutes of the 12th Meeting—740.00119 Council/9-1145)

Trieste. M. MOLOTOV said that, in the light of the explanations given, he would not press his proposal for a specific amendment of the terms of reference on this point.

After further discussion, in which other amendments of the draft proposed by Mr. Byrnes were suggested and approved, the Council agreed that the Deputies should consider and report on the problem of the Yugoslav-Italian Frontier and Trieste with the following terms of reference:—

“(1) To report on the line, which will in the main be the ethnic line leaving a minimum under alien rule, on the understanding that appropriate investigations will be carried out on the spot before the final delimitation of the frontier.

(2) To report on an international regime which will assure that the port and transit facilities of Trieste will be available for use on equal terms by all international trade and by Yugoslavia, Italy and the states of central Europe as is customary in other free ports of the world.”

2. ITALIAN PEACE TREATY: ECONOMIC AND FINANCIAL MATTERS

MR. BYRNES recalled that the draft prepared by the British Delegation (C.F.M.(45) 3)⁹³ contained a number of clauses dealing with economic and financial relations, the settlement of which would be a matter of great complexity, in view of the large number of Governments involved. The United States Delegation did not dissent from the substance of the majority of these clauses, but thought that agreement to the main Treaty would be secured more rapidly if these questions were dealt with in separate commercial treaties between Italy and the countries concerned.

MR. BEVIN said that he could accept this proposal in general, with the reservation that the Deputies should be empowered to consider suggestions for covering some of these questions in the Peace Treaty.

M. BIDAULT said that, while the British draft included many matters appropriate for separate bilateral agreements, there were others (e.g. those concerning customs, navigation and civil aviation) which were of general application and should be dealt with in the Peace Treaty. He therefore supported Mr. Bevin's suggestion. The Peace Treaty must include some clauses on economic and financial questions; and it was appropriate that the Deputies should select from the British draft those questions which could not suitably be left to separate bilateral agreements.

After further discussion:—

The Council instructed the Deputies to select from the draft clauses in C.F.M.(45) 3 dealing with economic and financial matters those which ought to be retained in the Peace Treaty as being of important

⁹³ September 12, p. 135.

general application, and should leave the remainder to be dealt with in separate bilateral agreements between Italy and the countries concerned.

3. ITALIAN PEACE TREATY: SOVEREIGNTY OF ITALY

MR. BYRNES said that the United States Delegation wished to put forward a further principle, in addition to those set out in their memorandum (C.F.M.(45) 16⁹⁴), for the guidance of the Deputies in their detailed consideration of the draft Heads of the Treaty (C.F.M.(45) 3). This was as follows:—

“The Treaty should provide for the restoration of Italian sovereignty, and the nations party to the treaty should have no rights or controls within Italy except as may be specifically provided in the treaty.”

MR. BEVIN said that, while he did not object to this proposal in principle, he thought that the Deputies should consider whether the inclusion of such a provision in the Treaty might not lead to practical difficulties. For example, it might be found necessary for certain essential lines of communication in Italy to remain under Allied control for some time after the conclusion of the Peace Treaty.

The Council agreed that the Deputies should add to the draft Treaty some provision for the restoration of Italian sovereignty, on the lines suggested by the United States Delegation.

4. ITALIAN PEACE TREATY: QUESTIONS OF SPECIAL CONCERN TO CHINA (Previous Reference C.F.M.(P) (45) 3rd Meeting, Minute 5)

DR. WANG SHIH-CHIEH recalled that the Chinese Delegation had circulated two memoranda (C.F.M.(45) 13 and 14⁹⁵) on certain points of special interest to China and had suggested that these might be considered by the Deputies.

The Council instructed the Deputies to consider the issues raised in C.F.M.(45) 13 and 14.

5. ITALIAN PEACE TREATY: DODECANESE ISLANDS (Previous Reference: C.F.M.(P) (45) 6th Meeting, Minute 4)

MR. BEVIN recalled that the Council had not yet reached a decision on the disposal and demilitarisation of the Dodecanese Islands. If it could be agreed in principle that the islands should be ceded to Greece, the British Delegation would be ready to agree that the question of demilitarisation should be referred to the Security Council of the United Nations Organisation. The settlement of this matter was of importance to his Government, which was still responsible for

⁹⁴ September 14, p. 179

⁹⁵ Neither printed; see footnote 94, p. 160.

the administration of the islands. An agreement on this matter would also be of considerable assistance to him in his approach to other questions before the Council.

M. MOLOTOV said that the Soviet Delegation required more time to study the question before they could express a view. He hoped they would be able to express their views in a day or two, so that a decision could be reached before the end of the present Conference.

After further discussion it was agreed that further consideration of this question should again be adjourned.

6. ITALY: DISPOSAL OF ITALIAN COLONIES

(Previous Reference C.F.M.(P) (45) 5th Meeting, Minute 4)

At their meeting on 15th September the Council had agreed that, in considering the disposal of the Italian Colonies, the Deputies should have discretion to hear the views of any of the Governments which had been invited to express their views to the Council in writing on the terms of the peace settlement with Italy.

MR. BEVIN said that he was sorry to have to re-open this matter, but he had been reminded that Egypt was closely interested in the disposal of Italy's African possessions and he wished to suggest that the Deputies should be empowered to hear the views of the Government of Egypt. Though she had been attacked by Italy and had made a substantial contribution to the African campaign, Egypt had not actually declared war on Italy and had not therefore been included in the list of countries invited to express their views in writing on the peace settlement.

After discussion, the Council agreed that the Deputies should have discretion to consider any views which the Egyptian Government might submit in writing on the question of the disposal of the Italian Colonies.

7. ITALIAN PEACE TREATY: REPARATIONS

(Previous Reference C.F.M.(P) (45) 7th Meeting, Minute 4)

M. MOLOTOV said that the Soviet Delegation regretted that it had not been found possible to agree on a total figure of reparations from Italy, and they felt bound to record their extreme dissatisfaction with the lack of progress made on this question. As matters stood, however, they saw no alternative but to refer the question to the Deputies without guidance from the Council.

MR. BEVIN said that it must be understood that the repayment of expenditure of other countries on relief for Italy must be a first charge on exports from Italy. Otherwise, a reparations plan might be devised which would have the effect that the British taxpayer would be subsidising the reparations payments of Italy.

M. MOLOTOV suggested that this matter would arise in connection with the economic and financial clauses of the Peace Treaty, which were also to be referred to the Deputies.

MR. BYRNES said that he would agree that the question of reparations from Italy should be referred to the Deputies if it were understood, as to this and other matters, referred to the Deputies for recommendations, that the Deputies would base their joint draft on a majority view submitting individual reports in case of his agreement [*of disagreement?*].

M. MOLOTOV said that this was an interesting but new suggestion and he would like a day or two to consider it.

The Council agreed to consider at a later meeting Mr. Byrnes' proposals on procedure; and took note that, if these proposals were accepted, it could be agreed that the question of reparations from Italy should stand referred to the Deputies.

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Statement by the Yugoslav Deputy Prime Minister (Kardelj) to the Council of Foreign Ministers

C.F.M.(45) 31

LONDON, 19 September, 1945.

ITALIAN PEACE TREATY: YUGOSLAV FRONTIER AND TRIESTE

REPLY OF YUGOSLAV REPRESENTATIVE TO VIEWS OF ITALIAN GOVERNMENT

The following is a record of a statement made by M. Kardelj at the Tenth Meeting of the Council on 18th September in reply to the views expressed on behalf of the Italian Government (see C.F.M.(45) 27) at the Ninth Meeting of the Council:—

"It is the wish of the people of Yugoslavia to live in peace with the Italian people. We have proved this in practice by the way in which we disarmed the Italian Army after its capitulation and by our treatment of Italian civilians in Yugoslavia and in the areas of Italy which the Yugoslavs have occupied. But friendship cannot be established by words alone. The history of Yugoslav-Italian relations has been filled with disagreements; and for the last thirty years Italy, in combination with Germany, has been a country from which misfortune has always come for Yugoslavia. It is therefore wrong to say that the friendship between the two countries has only been undermined during this war. It was undermined in the last war by the London Agreement,⁹⁶ by which the Italians claimed not only the Julian March but the Dalmatian coast.

⁹⁶ For text of the agreement between France, Russia, Great Britain and Italy, signed at London, April 26, 1915, see British Cmd. 671, Misc. No. 7 (1920).

It is not true to say that Yugoslavia freely accepted the Rapallo Treaty or that that Treaty represented a stable agreement. That Treaty was concluded only after five years of continual struggle by Yugoslavia against the London Agreement, and after two years of difficult and determined negotiations during which Italy adhered to a thesis which would have meant continued slavery for hundreds of thousands of our people.

The same is true of the Wilson Line, which was put forward, not as an ideal frontier, but as an attempt to compromise between the obligations of the Allies to Italy and the views of the people of Yugoslavia. It left to Yugoslavia in the Julian March 200,000 people of whom 30,000 were Italians. To the west of the line were 750,000 inhabitants, of whom 450,000 were Yugoslavs. It therefore represents no sacrifice by Italy in the cause of the peace in the Adriatic.

The Italian representative rightly said that Trieste could not develop naturally without proper communications with the hinterland. He therefore demanded that over half a million Yugoslavs should be annexed to Trieste and that Yugoslavia should give Italy special privileges on the railways. This claim recalls the mentality of egoism and territorial ambition which has led Italy to catastrophe in this war.

As regards the mines on the eastern shore of Istria, in territory completely inhabited by Croats, the Italian representative based his argument on the thesis that Yugoslavia already has 16 anthracite mines and is rich in coal, whereas Italy has very little. These facts are not correct. Yugoslavia has no anthracite mines. Before the war Yugoslavia imported annually 200,000 tons of coal. She also imported all the special types of coal required for her heavy industry, and coal is now more than ever necessary to Yugoslavia. It is, however, more important to realise that, in this kind of thinking, one can see the same mentality on the part of the Italians of which I spoke earlier. Italy has no coal and therefore wants Istria. She also has no oil and so tomorrow will demand Albania. This reminds one of the old arguments of Fascist Italy. I see nothing democratic or just in the argument that people should lose their national liberty because of one coal mine.

There are many other errors in the statement made by the Italian representative, and that is particularly true as regards ethnical statistics. The Italian figures have no real basis. It is true that there are no reliable statistics about the nationalities in the Julian March: such statistics as do exist are all aimed at reducing the apparent numbers of the Yugoslav population. If any credence is to be given to any of these statistics, most attention should be paid to the figures

of the Austrian census of 1910, though even those were directed against the Slovene population. But even on those figures the Slovene population was in the majority, and Salvemini^{96a} has admitted this on the basis of the Austrian statistics.

Practical experience during the war shows clearly where the Julian March begins. In the zone under Allied occupation on the side of the ethnographical frontier inhabited by Yugoslavs there is not a single village where a Slovene or Croat Liberation Committee has not been established. Those Committees continue to exist today. None of these villages has accepted an Italian Commissioner or disavowed its own National Liberation Committee.

It is true that there is no such thing as an ideal ethnographical line. But this line is the nearest thing to it. Hardly any mixed boundary belt exists: there is a sharp line almost everywhere between the Slovene and the Italian villages; only the towns are areas of mixed population.

As regards the political arguments adduced, the Italian representative said that Yugoslavia had deported thousands of Italians from the Julian March and referred to their sufferings in Zara. I do not know what he had in mind. It is true that in the first days of the Yugoslav occupation of this area many Fascists fled into Italy. It is also true that Mussolini's Italian troops fought in this area, and that many of them were killed and captured. But the prisoners have been released from the camps in Yugoslavia, and, if some have not yet returned to Italy, there cannot be many such. There are no Italian civilians interned in Yugoslavia. Even in the foreign newspapers which are hostile to Yugoslavia, the largest figure given for Italians who have "disappeared" in Yugoslavia and the Julian March is 3,000. As regards Zara, this has a population of only 14,000 and all its inhabitants are still living there.

I can understand that the Italian representative is interested in the Italian minorities in Yugoslavia, for the Italian Government has done all in its power to ensure that this minority while living in Yugoslav territory should continue to enjoy its full national life. He did not, however, mention Italy's responsibility for what the Italian army has done in Yugoslavia during the war. The Italian army occupied one-third of the territory of Yugoslavia and, up to the time of her capitulation, 437,956 Yugoslavs, civilian and military, had been killed in this area, 131,250 had been disabled, 7,450 had been held as prisoners of war, 109,437 had been interned in concentration camps, (this figure did not include the population of the Julian March), 84,512 had been employed on forced labour, 122,430 had been deported and 87,215 had been forcibly mobilised.

^{96a} Gaetano Salvemini, lecturer on the history of Italian civilization at Harvard University since 1933, and author of several books on Italian affairs.

The Italian representative asked that we should forget what Italy has done. This is the argument used by the Japanese. The sacrifices of Yugoslavia during the war have been enormous. I do not demand revenge, nor do I demand that our frontiers should extend into Italian territory. All that Yugoslavia demands is that the Julian March should be given to Yugoslavia and that its people should be re-united with their brothers.

To make Trieste a free city under an international regime is no solution from either the economic or the political point of view. The economic argument on this point was given this morning. As regards the political argument, Fiume is not a good precedent. It was a free city up to the time that the Italians occupied it. The same might happen in the case of Trieste if it were left with Italy. If it were restored to Yugoslavia, all the countries interested in the port would have a guarantee that their economic interests will be protected by Yugoslavia under whose control it will be a free port, as was stated this morning.

I appeal to the Council to give the closest attention to our case, since peace cannot be permanently established until the right of the smaller nations to live their own lives freely and in peace is guaranteed."

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*Memorandum by the French Delegation to the Council of Foreign
Ministers*

C.F.M.(45) 33

LONDON, 19 September, 1945.

EUROPEAN INLAND WATERWAYS

UNITED STATES PROPOSAL FOR AN EMERGENCY REGIME

The United States Memorandum* regarding an Emergency Regime for European Inland Waterways forms a useful contribution to the re-establishment of inland waterways communications in Europe and of the international regime which has proved a success, and which constitutes an essential guarantee for the countries and the areas which these waterways serve.

The idea of setting up provisional organisations endowed with large powers, pending the establishment of a definite regime would probably enable the difficulties now facing the resumption of navigation and a rational use of shipping to be overcome. The French Delegation, however, considers it necessary to emphasize that whatever

*C.F.M.(45) 1. [Footnote in the original. Memorandum dated September 12, printed on p. 132.]

emergency solutions might have to be adopted by force of circumstance, it would be wrong not to retain in the case of existing organisations, which have proved a success, everything which can be conveniently retained. It would be dangerous not to make allowance, in an emergency regime, which may have to last for some time, for the needs of the future, both by a reference to the treaties and conventions which were in force before November, 1936 on the various waterways and by providing for their application, subject to any changes introduced by the provisional agreement.⁹⁷ Clearly, this point was also in the mind of the United States Delegation.

The French Delegation consider, however, that still greater regard should be paid to the situation which existed previously. In the case of the Rhine Commission particularly, it is essential to maintain the special position held by France, one which she is justified in retaining in her two-fold capacity as a Great Power and a River Power. In addition to the delegate whom, like the other riparian States, she would appoint, she should also hold the chairmanship of the Commission. On the question of seat, as the archives and premises needed by the Commission are at Strasbourg, it is desirable that the Commission should continue to work in that city, though a branch might be set up for present requirements at Duisbourg, which is the technical demarcation point between upstream and downstream navigation and seems to be a more suitable place than Cologne for an organisation with practical responsibilities. Furthermore, the United States proposal makes no suggestion to change the seats of the Elbe and Danube Commissions as they existed prior to 1936, (Dresden and Vienna) and it is not clear why a different procedure should be adopted for the Rhine Commission. On the Danube, if Vienna is selected, organisations would have to be delegated to other points on the river where special regulations are required.

Further, the widening of the Rhine Commission to include waterways not at present subject to its jurisdiction may necessitate certain reservations and for this purpose contact with the States concerned would seem essential.

Subject to these reservations, the French Delegation consider that the United States draft can form a useful basis for discussion and that its examination could be referred to a special Committee which should report to the Council during its session.

⁹⁷ Reference is to the decision of the German Government in November 1936 to denounce the provisions of the Treaty of Versailles relating to German waterways, terminating the *modus vivendi* for the Rhine, and withdrawing from the International River Commissions.

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Memorandum by the United States Delegation to the Council of Foreign Ministers

C.F.M.(45) 35

LONDON, 19 September, 1945.

SUGGESTED DIRECTIVE TO THE DEPUTIES FROM THE COUNCIL OF FOREIGN MINISTERS TO GOVERN THEM IN THE DRAFTING OF A TREATY OF PEACE WITH BULGARIA ⁹⁸

Note: This suggested directive is submitted by the United States Delegation with the understanding that the United States will not negotiate a treaty of peace with Bulgaria until there has been established a government broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of a government responsive to the will of the people, which can be recognised by the United States.

I. TERRITORIAL PROVISIONS FOR BULGARIA

1. The boundary between Rumania and Bulgaria as existing on January 1st, 1938 except with respect to Dobruja, where the line established by treaty of Craiova (September 7th, 1940) should be confirmed.

2. With respect to Yugoslavia, the boundary as existing January 1st, 1938, except for such minor rectifications in the Tsaribrod region, and, as between Bulgarian and Yugoslav Macedonia, as may be agreed upon.

3. Boundaries with Greece and Turkey as they existed January 1st, 1938.

⁹⁸ A memorandum of October 11, 1945, from Leslie Squires, Secretary of the American Mission in Hungary, to H. F. Arthur Schoenfeld, Representative in Hungary, gives some background as to the preparation of this suggested directive. Squires, who arrived in London on September 13 to work with the United States Delegation at the Council of Foreign Ministers, wrote in part as follows: "Since it was necessary to substitute a new proposal, if we were to refuse to consider the Russian suggestion [regarding peace treaties for Bulgaria, Hungary, and Rumania], such a document was prepared for each of the three countries. These documents were basically the same and showed only minor variations under territorial provisions and reparations. . . . This document [suggested directive regarding the drafting of the peace treaty with Hungary] is, as indicated, basically the same as those submitted for Rumania and Bulgaria, and represents the joint work of Mr. Barnes, Mr. Berry and myself. Certain changes and alterations were made upon the recommendation of Mr. Cannon, Mr. Dunn and other members of the Secretary's party. The directive, as attached, was accepted by the Secretary as the basis for his proposal regarding the Hungarian peace treaty." (Budapest Legation Files: 711.9 Peace Treaty) Maynard B. Barnes, Representative in Bulgaria, and Burton Y. Berry, Representative in Rumania, were both in London to work with the United States delegation to the Council of Foreign Ministers.

II. POLITICO-ECONOMIC PROVISIONS

1. Provision should be made for special free port and transit facilities for Bulgarian trade to flow through Salonika, Kavalla and Dedeagach.

2. International agreements for the control of the Danube should be confirmed by the treaty.

III. HUMAN RIGHTS

By the treaty Bulgaria should voluntarily undertake to maintain a bill of rights which will guarantee freedom of speech, religious worship, language, political belief and public meeting and confirm the human rights and fundamental freedoms of the United Nations Organisation.

IV. EDUCATIONAL, PHILANTHROPIC, ETC. RIGHTS

Provision should be made to continue to prevent any discrimination against Allied associations, institutions and persons engaged in educational, scientific, philanthropic and religious activity in Bulgaria.

V. ARMAMENTS

The maintenance of armaments for land, sea and air will be closely restricted to the necessities of (a) maintenance of order in Bulgarian territory; (b) local frontier defense; (c) such military contingents, if any, in addition to the foregoing as may be required by the Security Council.

VI. WAR CRIMES

Appropriate provision will be made, preferably by a separate protocol, to deal with the war criminals, return of prisoners of war, etc.

VII. REPARATIONS

Bulgaria's reparation obligations should be limited to the payment of damages caused by Bulgaria in Greece and Yugoslavia and to compensation for war damage to United Nations property in Bulgaria. Reparation payments to Greece and Yugoslavia should consist primarily of deliveries of goods from Bulgaria, to be determined by an Allied Commission composed of representatives of the U.S.S.R., the United Kingdom, the United States, France, Greece and Yugoslavia.

The determination of reparations due to Greece and Yugoslavia from Bulgaria and the commencement of the delivery of reparations in kind should not await the conclusion of peace. These are matters that should be dealt with immediately, preferably by the proposed reparations Commission.

The treaty should provide for the restitution of property removed from United Nations territory by Axis forces as stipulated in Article

11 of the Armistice. It should also provide for the return of United Nations property in Bulgaria and for compensation therefor where the property is not returned in good order. The execution of these provisions of the treaty as well as those relating to reparations, should be carried out under the supervision of the Allied Commission referred to above.

The Bulgarian Government shall authorise each of the United Nations to take over and apply to their respective reparation claims such of the assets of the Bulgarian Government (excluding diplomatic and consular premises) and of Bulgarian nationals as are within the jurisdiction of the respective United Nations. Similarly, the Bulgarian Government shall undertake to transfer to the United Nations, for appropriate distribution, Bulgarian Government and private property in the neutral countries. The Bulgarian Government will undertake to indemnify, in accordance with Bulgarian law, the Bulgarian nationals whose property will thus have been requisitioned. Each of the United Nations will be free to allocate the amount received from Bulgaria to the indemnification of the State or its nationals, or the payment of debts, as it may determine as a matter of national policy.

The Bulgarian Government shall be required to recognise the transfer to the U.S.S.R., in accordance with paragraphs 1 and 9 of the Potsdam decision on German reparations, of German assets in Bulgaria.⁹⁹ (This transfer shall be made by the Allied Control Council in Germany).

VIII. ECONOMIC AND FINANCIAL MATTERS

Provisions should be included in the treaty implementing the United States proposal which was accepted in principle in Article XXI of the Potsdam Protocol,¹ including guarantees to Allied nationals of access, in equal terms, to Bulgarian trade, raw materials and industry. Similar provision should be made for equality of access to the use of Bulgarian ports, waterways, and aviation facilities. These provisions might be limited in their duration for a period of five years. Whether provisions respecting other economic and financial relations should be included in the treaty should be left for later consideration. In view of the complexities raised and the large number of states involved, these might preferably be left to separate treaties.

⁹⁹ For text of the Berlin Conference decisions on Reparations from Germany, see Section IV of the Report of the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, p. 1505, and Section III of the Protocol of the Proceedings of the Berlin Conference, *ibid.*, p. 1485.

¹ Reference is apparently to Section XX of the Protocol of the Proceedings of the Berlin Conference, *ibid.*, p. 1497.

IX. SOVEREIGN POSITION OF BULGARIA

The treaty should provide for the restoration of Bulgarian sovereignty and the nations party to the treaty should have no rights or controls within Bulgaria except as may be specifically provided in the treaty.

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Memorandum by the United States Delegation to the Council of Foreign Ministers

C.F.M. (45) 36

LONDON, 19 September, 1945.

SUGGESTED DIRECTIVE TO THE DEPUTIES FROM THE COUNCIL OF FOREIGN MINISTERS TO GOVERN THEM IN THE DRAFTING OF A TREATY OF PEACE WITH RUMANIA

Note: This suggested directive is submitted by the United States Delegation with the understanding that the United States will not negotiate a treaty of peace with Rumania until there has been established a government broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of a government responsive to the will of the people, which can be recognized by the United States.

I. TERRITORIAL PROVISIONS FOR RUMANIA

1. The frontier with the U.S.S.R. shall be that established by the Soviet-Rumanian Agreement of 28th June, 1940.
2. The frontier with Hungary shall be, in general, the frontier existing in 1938, except that as regards Transylvania determination regarding the whole or the greater part to go to Rumania shall be made after examining the respective claims of the two states.
3. The frontier with Yugoslavia will remain unchanged.
4. The frontier with Bulgaria will remain unchanged.

II. POLITICO-ECONOMIC PROVISIONS

International agreements for the control of the Danube should be confirmed by the treaty.

III. IV. V. [These articles are the same, *mutatis mutandis*, as articles III, V, and VI in Suggested Directive for Bulgaria (C.F.M. (45) 35), *supra*.]

VI. REPARATIONS

The treaty should provide for the delivery to the U.S.S.R. of reparations in kind as stipulated in Article 11 of the Armistice. It should also provide for the determination of the compensation payable to other countries as stipulated in Article 11 of the Armistice and for completing the restoration of Allied property in Rumania to its owners or payment therefor when the property is not returned in good

order as required by Article 13 of the Armistice. The determination of the amounts payable by Rumania on account of claims for property in Rumania, and the supervision of Rumania's execution of the treaty provisions with regard to reparations, restoration of Allied property and compensation for damage should be vested in an Allied Commission composed of representatives of the U.S.S.R., the United Kingdom, the United States and France.

The satisfaction of claims against Rumania on the part of countries other than the U.S.S.R. should be made primarily from Rumanian assets abroad. Consequently, the Rumanian Government shall authorize each of the United Nations to take over and apply to their respective reparation claims such of the assets of the Rumanian Government (excluding diplomatic and consular premises) and of Rumanian nationals as are within the jurisdiction of the respective United Nations. Similarly, the Rumanian Government shall undertake to transfer to the United Nations, other than the U.S.S.R., Rumanian government and private property in the neutral countries. The Rumanian Government will undertake to indemnify, in accordance with Rumanian law, the Rumanian nationals whose property will thus have been requisitioned. Each of the United Nations will be free to allocate the amount received from Rumania to the indemnification of the State or its nationals, or the payment of debts, as it may determine as a matter of national policy.

The Rumanian Government shall be required to recognize the transfer to the U.S.S.R., in accordance with paragraphs 1 and 9 of the Potsdam decision on German reparations, of German assets in Rumania. (This transfer shall be made by the Allied Control Council in Germany.)

VII. VIII. [These articles are the same, *mutatis mutandis*, as articles VIII and IX in Suggested Directive for Bulgaria (C.F.M. (45) 35), *supra*.]

740.00119 Council/9-2045

Memorandum of Conversation, by Mr. Charles E. Bohlen, Special Assistant to the Secretary of State

[LONDON,] September 20, 1945.

Participants: The Secretary
Mr. Dunn
Mr. Bohlen
Mr. Molotov
Ambassador Gusev
Mr. Pavlov

THE SECRETARY said he had come to see Mr. Molotov to discuss with him a matter he had had on his mind for some time. He said he

recalled very well a statement in regard to Poland that Marshal Stalin had made at the Yalta Conference. He had been particularly impressed with the Marshal's observations that twice in twenty-five years Poland had been a corridor for German attack on Russia, and also his statement that there was always the danger that, as after the last war, the United States might return home and withdraw from European affairs, at which time the danger of a recrudescence of German aggression might become real. He added that, as Mr. Molotov knew, historically the United States was reluctant to enter into political treaties with foreign governments, but he wished to ask Mr. Molotov whether the Soviet Government would consider a treaty between the Four Principal Powers for the demilitarization of Germany to run for twenty or twenty-five years, would be a good thing. He went on to say that if the Soviet Government thought that this was a good idea, he would be prepared to recommend it to the President, and both of them could recommend it to the Congress. He said the details could, of course, be worked out later, but he would like to know Mr. Molotov's views as to whether such a treaty would be a real contribution toward removing fear of a recrudescence of German aggression. He felt that this fear played a large part in the policies of various European states. He said he had discussed it with the President before he left, and although it was a new idea for the President, he had been interested, and his first reaction had been favorable.

He concluded by saying that if the Soviet Union thought well of the idea, they could then talk to the French and British.

Mr. Molotov replied that he could not give the Secretary the definite views of his Government, but personally he thought it was a very interesting idea, and he would report to his Government, and they could discuss it again in a few days.

Mr. Molotov then went on to say that he wished to talk with the Secretary about our paper on Rumania.² He said he had the impression that the United States was seeking to oppose the Soviet Union in every way, and the note contained in our memorandum on Rumania was in effect a challenge directed against the Soviet Union, and to which he would be forced to reply.

THE SECRETARY said it was not intended as a challenge nor directed in any way against the Soviet Union. It was merely, as he had told Mr. Molotov privately, for the purpose of making clear that our participation in the working out of a treaty with Rumania could not be construed as an indication of our willingness to recognize the present government of Rumania.

² Presumably reference is to the memorandum by the United States delegation, C.F.M. (45) 36, September 19, *supra*.

MR. MOLOTOV asked why it had been necessary to put that statement in writing, and that as written it was in a very different spirit from what the Secretary said he had in mind.

THE SECRETARY replied that at Potsdam it had been agreed that each government would investigate the question of recognition, and that that was what the United States was still engaged in doing. He added that in his view the statement contained nothing new as to our position, which had been fully expressed by the President at Potsdam.

MR. MOLOTOV then said he would suggest that the United States Delegation withdraw the note, and the Secretary orally say what he had just told him. An oral statement making clear our position without attacking the Rumanian Government would be all right.

THE SECRETARY replied that he had no objection to stating what he had orally, but that he felt that he would have to give the reasons.

MR. MOLOTOV replied that that was, of course, the Secretary's business. If these attacks on the Rumanian Government were made by the United States Delegation, he would be forced to answer. He repeated his suggestion that the Secretary withdraw the note and confine himself to an oral statement that our participation in the drawing up of the treaty should not be construed as recognition.

THE SECRETARY said he was unable to withdraw the note under the circumstances.

MR. MOLOTOV replied, in that case he would have to come to the defense of the Rumanian Government and reply to the attack on the Soviet Government.

THE SECRETARY said that was Mr. Molotov's right, but that he in turn might find it necessary to reply to Mr. Molotov. He expressed regret that Mr. Molotov chose to take our position in such a wrong way.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

*Record of the Thirteenth Meeting of the Council of Foreign Ministers,
Lancaster House, London, September 20, 1945, 11 a. m.*

C.F.M.(P) (45) 13th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
Sir O. Sargent ¹	Mr. C. E. Bohlen	M. V. N. Pavlov

¹ Sir Orme Sargent, Under Secretary of State in the British Foreign Office.

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand
M. Fouques Duparc

CHINA

Dr. Wang Shih Chieh (Chairman)
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. PROCEDURE: PUBLICATION OF DECISIONS OF COUNCIL
(Previous Reference C.F.M.(P)(45) 1st Meeting, Minute 1)

M. MOLOTOV said that the decision taken by the Council on the previous day about the Yugoslav-Italian Frontier and Trieste (C.F.M.(P)(45) 12th Meeting, Minute 1) had been published without his consent.⁴ He proposed that, for the future, communiqués regarding the work of the Council should not include information about decisions taken unless the Council had agreed that those decisions might be published.

MR. BEVIN referred to the discussion about Press arrangements at the First Meeting of the Council (C.F.M.(P)(45) 1st Meeting, Minute 1, paragraph (f)) and explained the circumstances in which the communiqué had been issued the previous evening by the Press Communiqué Committee. He considered that no blame attached to the Committee.

DR. WANG SHIH-CHIEH said that according to the procedure decided at the Council's first meeting all communiqués should be agreed. If decisions of the Council were to be contained in such communiqués, their publication should of course be agreed also. The question had been raised by whom they should be agreed—by the Press Communiqué Committee or by the Council. His interpretation was that they should be agreed upon by all the members of the Press Communiqué Committee and, if difficulties arose on that Committee, the matter should be referred by them to the Council.

The Council:—

(1) Agreed that future communiqués should not announce decisions reached by the Council unless the Council had agreed that those decisions might be published.

(2) Endorsed the view that no blame attached to the Communiqué Committee for having published the terms of the Council's decision on the problem of the Yugoslav-Italian frontier and Trieste.

⁴ For text of the communiqué released to the press by the Council of Foreign Ministers on the evening of September 19, see Department of State *Bulletin*, October 14, 1945, p. 565.

2. FINLAND: PEACE TREATY

The Council agreed to examine the proposals for a Peace Treaty with Finland set out in memoranda by the Soviet Delegation (C.F.M. (45) 7) and the British Delegation (C.F.M. (45) 25).⁵

MR. BYRNES recalled that the United States, not being at war with Finland, would not be a signatory to the Peace Treaty; and the United States Delegation did not desire to express any views on these proposals. It should, however, be understood that any decisions taken by the Council on the Peace Treaty with Finland, either on the substance of the Treaty or on the procedure for its preparation, must not be regarded as establishing any precedent for the Treaties with the other satellite States.

M. BIDAULT said that in substance he agreed with Mr. Byrnes. France also was not at war with Finland. While the Council was concerned with the settlement for Europe as a whole, the Peace Treaty with each of the four satellite countries should be examined independently on its merits, on the basis of the historical and political circumstances of each case.

In the discussion which followed, paragraphs 3-8 of the memorandum by the British Delegation (C.F.M. (45) 25) were discussed *seriatim*; as follows:—

Armaments (Paragraph 3)

M. MOLOTOV asked why the British Delegation proposed that Article 4 of the Armistice Terms with Finland should be taken as a basis for provisions in the Peace Treaty restricting the peace-time military establishments of Finland.

MR. BEVIN explained that, in the view of the British Delegation, all the Peace Treaties with ex-enemy satellite States should contain provisions for restricting their peace-time military establishments. The Council had already accepted in principle similar provisions for the Peace Treaty with Italy.

M. MOLOTOV said that it was necessary to distinguish between Germany and Italy, the great ex-enemy Powers, and small countries like

⁵ C.F.M. (45) 7, September 12, p. 148, and C.F.M. (45) 25, September 18, p. 228. According to the American minutes of this meeting, Molotov began the consideration of a draft treaty with Finland in the following words: "Molotov said that proposals had been put forward by the Soviet Delegation, but that the British Delegation had also distributed proposals. The substance of the Soviet proposal was that the armistice terms be transformed into a peace treaty. These armistice terms should, of course, be redrafted where required and completed by including such clauses as were required. The British proposals were for a peace treaty with Finland. Molotov thought they should take as a basis the armistice terms subject to the modifications necessary. He proposed that as a basis for their discussions of the peace treaty with Finland they take the proposals made by the Soviet Delegation, and that while discussing them they should also consider the proposals made by the British Delegation." (740.00119-Council/9-1145)

Finland. It could not be supposed that Finland could threaten the peace of Europe. The Soviet Union, which was the country most directly concerned with the possibility of Finnish aggression, had not asked for any restrictions on her military establishments in the Treaty made in 1940,⁶ and did not think them necessary now. Finland would never undertake a war of aggression without some powerful Ally such as Germany; the correct policy was, therefore, to prevent Germany from becoming capable of further aggression, rather than to make demands upon Finland which were not justified by necessity and would affront her national pride.

MR. BEVIN said that the United Kingdom Delegation could not accept this view. It was not enough to say that a small country like Finland could not maintain such forces as would constitute a threat to peace: the Council should look to the peace and security of Europe as a whole. The British Delegation must stand by the principle that limitations on the military establishment of ex-enemy States must be included in the Peace Treaties with those States. His acceptance of other provisions in the proposed Treaty for Finland would be conditional upon an agreement satisfactory to the British Delegation regarding this proposal for the limitation of military establishments.

Continuance of Military Facilities (Paragraph 4)

M. MOLOTOV agreed that, on the conclusion of the Peace Treaty, facilities of a military nature would no longer be required of the Finnish Government.⁷

Return of Allied Vessels (Paragraph 5)

M. MOLOTOV said that further consideration must be given to the suggestion of the British Delegation that the Peace Treaty should contain some provision on the lines of Article 18 of the Armistice, concerning the return of Allied vessels, etc. The Soviet Delegation did not think this necessary, since they believed that, before the time came for the Treaty to be concluded, Finland would have carried out her obligations under this Article. If the British Delegation had

⁶ For a translation of the text of the treaty of peace between Finland and the Soviet Union signed at Moscow on March 12, 1940, see Department of State *Bulletin*, April 27, 1940, p. 453. For documentation on the Winter War and the negotiation of the treaty of peace, see *Foreign Relations*, 1940, vol. I, pp. 269 ff.

⁷ The United States delegation minutes of this meeting of the Council do not record any agreement by Molotov to point 4 of the British proposal (C.F.M. (45) 25). According to these minutes, the following exchange took place at this point in the meeting:

"BEVIN proposed that they postpone consideration of the Finnish treaty.

"MOLOTOV did not wish to change the procedure of taking up items in order. They could put off discussion of point 4 of the British proposal until a later meeting, but they could proceed with the discussion of other points in the Finnish treaty, as had been done in the case of Italy.

"BEVIN reserved his position until the end of the discussion on the treaty when they would have received an answer on this point." (740.00119 Council/9-1145)

any reason to doubt this, however, he would agree that the point should be further considered.

MR. BEVIN said that, while he hoped M. Molotov's belief would prove to be correct, he would like this point to be further examined.

Resumption of Diplomatic and Consular Relations (Paragraph 6(i))

M. MOLOTOV asked why it was suggested that the Allied Powers should have "the right to appoint Consuls at such places and in such numbers as each might decide". It had not been suggested that any such demand should be made of Italy.

MR. BEVIN explained that the object of the proposal was to ensure that no obstructions were placed in the way of the appointment of Allied Consuls in Finland. He would not press that this should be expressly covered in the Treaty, if the substance of his requirement was met, either by a suitable assurance or perhaps by the insertion in the Treaty of some other provision which would cover it—e.g. a clause dealing with the restoration of Finnish sovereignty on the lines of that accepted by the Council for inclusion in the Italian Treaty.

(Later in the meeting Mr. Bevin offered to withdraw the second sentence of paragraph 6(i) of C.F.M.(45) 25).

Position of International Organisations (Paragraph 6 (ii) and (iii))

M. MOLOTOV said that the proposals that Finland should accept the liquidation of the League of Nations and Permanent Court of International Justice, and should recognise the authority of the United Nations Organisation, were in his view covered by the Soviet proposal that Finland should be required to co-operate with the Allied Powers and execute such measures as they might adopt for the maintenance of world peace (C.F.M.(45) 7, paragraph 3).

MR. BEVIN agreed that the proposals in paragraphs 6 (ii) and (iii) of C.F.M.(45) 25 should be considered in connection with the proposal in paragraph 3 of C.F.M.(45) 7.

Position of Existing Treaties (Paragraph 6(iv))

M. MOLOTOV suggested, and MR. BEVIN agreed, that further consideration should be given to this proposal, in order to specify which Treaties Finland should be required to keep in force and which Treaties she should abrogate.

Bill of Rights (Paragraph 6(v))

M. MOLOTOV said that the Soviet Delegation accepted in principle the proposed provision that Finland should maintain a Bill of Rights on the lines already accepted for inclusion in the Italian Peace Treaty. He suggested, and MR. BEVIN agreed, that the details of such a clause would require examination.

War Graves (Paragraph 6(vi))

In reply to M. Molotov, Mr. BEVIN said that the British Delegation regarded it as important that the Peace Treaty should contain provisions regarding the war graves of Allied Nationals in Finland. It was agreed that this proposal required detailed consideration.

Procedure for further study

M. MOLOTOV recalled that at their first meeting the Council, departing somewhat from the terms of reference laid down at the Berlin Conference, had agreed that all five members of the Council should participate in all discussions, whether or not they were all directly concerned. The present discussion concerned only two members of the Council and the other three members had not in fact taken part in it. This suggested that the best procedure for dealing with those matters requiring further study would be to refer them, not to the Deputies as a whole, but to a special committee comprising representatives of the British and Soviet Governments only, whose function would be to examine in the light of the discussion which had just taken place the proposals put forward in the memoranda by the British and Soviet Delegations, and to make recommendations to the Council of Foreign Ministers.

MR. BEVIN said that this proposal would establish a precedent for the Treaties with the other ex-enemy Satellite States, and he was not prepared to accept it. He had suggested that the proposals in both memoranda should be referred to the Deputies for further consideration, subject only to his reservation on the question of armaments. He would now go further and, if M. Molotov would agree that the Deputies should consider the proposals in the United Kingdom memorandum, including those on economic and financial questions in paragraph 7, he would be prepared to withdraw the proposal, to which M. Molotov had taken exception, regarding the appointment of Consuls (paragraph 6, sub-paragraph (i), second sentence).

M. MOLOTOV agreed that the economic and financial proposals in the United Kingdom memorandum required further consideration. He still thought, however, that his proposal for future procedure was the most practical one. If Mr. Bevin was not prepared to accept it now, he would revert to it again at a later meeting.

Admission to United Nations Organisation (Paragraph 8)

MR. BEVIN referred to the statement in the Soviet memorandum (paragraph 3) that "the Allied powers will support Finland's candidature for membership of the United Nations Organisation". If this meant that the British Government were expected to commit themselves to such support in advance, he could not accept it. He had the highest regard for the Finnish people and his Government were

determined to do all in their power to assist Finnish recovery. A general understanding between the Allied powers that they would at the appropriate time support an application from Finland to join the World Organisation was one thing, but he could not accept a suggestion that his Government should enter into a hard and fast obligation in advance.

M. MOLOTOV said that the Soviet Delegation must then enter a similar reservation with regard to Italy.

The Council agreed that further discussion of the Finnish Peace Treaty should be adjourned.

Council of Foreign Ministers Files: Lot M-88: CFM London Minutes

Record of the Fourteenth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 20, 1945, 4 p. m.

C.F.M.(P) (45) 14th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper
Sir Orme Sargent

U.S.A.

Mr. Byrnes (Chairman)
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. FINLAND: PEACE TREATY

(Previous Reference: C.F.M.(P) (45) 13th Meeting, Minute 2)

The Council continued their discussion of the procedure for further consideration of the draft Peace Treaty with Finland.

M. BIDAULT said that, as he understood it, all subjects on the Agenda of the Council were open to discussion by all Delegations. He would not like consideration of the Finnish Peace Treaty to reach its final stages without the French Delegation having an opportunity to state their views. If the Council accepted the proposal of the Soviet Delegation that this subject should be referred for detailed study to an Anglo-Soviet Commission, he would not wish that their report should be submitted directly to the Council, but rather that there should be some intermediate stage at which the French Delegation could express their views.

After further discussion the Council agreed to postpone further consideration of the procedure for dealing with the Finnish Peace Treaty.

2. ROUMANIA: PEACE TREATY

The Council had before them memoranda on this subject by the Soviet Delegation (C.F.M.(45) 8), the British Delegation (C.F.M.(45) 21) and the United States Delegation (C.F.M.(45) 36).⁸

MR. BYRNES drew attention to the note prefixed to the memorandum by the United States Delegation declaring that the United States Government would not negotiate a Peace Treaty with Roumania until a broadly representative government had been established in that country. This note had been prefixed to the memorandum in order that no misunderstanding should arise from the fact that the United States Delegation had participated in discussion of the draft Treaty. With this reservation, however, he was ready to proceed with the discussion of the memoranda before the Council.

M. MOLOTOV said that while he could not ignore this statement he was willing to deal with it when the question of recognising the Roumanian Government came up for discussion.

He suggested that, as a basis for their discussion of the draft Treaty for Roumania, the Council should take the Soviet Delegation's proposals (C.F.M.(45) 8), and the modifications and additions suggested by the British Delegation (C.F.M.(45) 21) and should then consider the proposals of the United States Delegation (C.F.M.(45) 36).

Armaments (Paragraph 3 of C.F.M.(45) 21).

M. MOLOTOV said that, unlike Italy, Roumania was not a great Power. She was a neighbour of the Soviet Union, and had fought only against the Soviet Union. She was not capable of maintaining a large army or a large war potential which might threaten the peace of Europe. Why then was it necessary to impose special restrictions on Roumania's military establishments? To restrict her armaments and, still more, to impose on her an Allied Inspectorate, would restrict her sovereignty and hurt her pride, without bringing any special benefit to the Allied cause.

MR. BEVIN said that an Allied Inspectorate was proposed in order to ensure that the peace conditions were complied with. The Soviet Union was not Roumania's only neighbour, and many of Europe's troubles had begun in the Balkans. These smaller nations should not be allowed to maintain armed forces larger than their economy could support. Incidents in these countries had too often been used by the larger Powers as the occasion for major conflicts. Serbia in 1914, Poland in 1939 were examples of this. The sale of arms to small countries was also a potential source of danger. Limitation of the armaments of the smaller powers would not only assist the

⁸ C.F.M.(45) 8, September 12, p. 149; C.F.M.(45) 21, September 17, p. 219; and C.F.M.(45) 36, September 19, p. 266.

national economy in those countries, but would limit the possibilities of another world war.

He did not, however, insist on the wording used in the British draft on this point, and was prepared to accept Section IV of the United States memorandum (C.F.M.(45) 36).⁹

MR. BYRNES said that the United States Delegation attached very great importance to this proposal. The whole world was weary of war and was looking to this Conference to lay the foundations of a lasting peace.

Italy had been an ally of Germany, and Roumania too had fought by Germany's side. The Council had already agreed on a directive which would ensure that Italy could not rearm for offensive purposes. He could see no reason why the same policy should not be applied to Roumania. Even if they were satisfied that the present Government of Roumania had no warlike intentions, they could not know how long it would remain in power. He feared rivalry in armaments among the small nations, which would eventually lead to larger conflicts in which millions might be involved. Limitation of armaments would be the greatest boon to the Balkan peoples, whose economic condition was such that they could not maintain large armies and at the same time restore the peace-time production which was essential to their economic health and happiness. If the great Powers fulfilled their promise to prevent aggression through the United Nations Organisation, these countries would have no need of large armies.

M. MOLOTOV said that, in the light of the exchange of views which had taken place, he was ready to agree that Section IV of the United States memorandum (C.F.M.(45) 36) should be taken as a basis for detailed consideration of the restriction of Roumania's military establishments.

MR. BEVIN said he would like to make clear the views of the British Government on the Balkan area as a whole. Some of the States in

⁹ The United States delegation minutes of this meeting of the Council record the following exchange at this point in the discussion :

"MOLOTOV said that so far as he personally was concerned, the thought that if one disarmed a state it could lead a quieter life had never occurred to him. Perhaps it was correct. Bevin's remarks were correct in many ways, but he had said nothing about the defense of Rumania. The Soviet Delegation proposed in regard to Rumania that they should contemplate its eventual entry into the United Nations. If they contemplate that, why plant an inspectorate in Rumania? He wondered if this were not artificial. Did they really have so many people in their countries to be sending them as inspectors, to inspect war graves, as consuls, et cetera. If these states asked for people, they could send them.

"BEVIN asked if they had asked for all the people they had there now.

"MOLOTOV replied that these people were their guests.

"BEVIN said he thought that they were hosts.

"MOLOTOV said that anyway they felt like guests.

"BEVIN said he could not understand why the Soviet Delegation opposed all of these proposals in regard to inspection." (740.00119 Council/9-1145)

this area were ex-enemies, other were Allies. It was the objective of the British Government to remove the threat of aggression throughout the whole area by securing the limitation of armaments in Allied, as well as ex-enemy, countries, so that security in this area could be based, not on competitive armaments, but on a sense of confidence.

M. MOLOTOV said that, in agreeing to accept the United States draft as a basis, he had not intended to imply that the issue was finally decided. He thought that further detailed study was needed, and he would himself prefer that this should be carried out, not by the Deputies, but by a Committee consisting of representatives of the United Kingdom, the Soviet Union and the United States. Secondly, he thought it was a matter for further consideration whether an Allied Inspectorate or other enforcement machinery would be required, or whether it would be possible to dispense with any machinery for enforcement.

After further discussion, the Council:—

(1) Agreed that Section IV of C.F.M.(45) 36 should be accepted as a basis for detailed study of this question, and that this study should include the question whether any machinery was required (whether in the form of an Allied Inspectorate or otherwise) for enforcing any restrictions which it might be decided to impose on Roumania's military establishments.

(2) Agreed to adjourn to a later meeting further discussion of the procedure by which detailed study of these and other proposals for inclusion in the Treaties with the ex-enemy satellite States should be carried out.

Soviet-Roumanian Frontier (Paragraph 4 of C.F.M.(45) 21)

It was agreed that Article 4 of the Armistice Terms should be accepted as a basis for discussion.

Return of Allied Vessels (Paragraph 5 of C.F.M.(45) 21)

It was agreed that this question should be referred for detailed study and report to the Council.

War Crimes (Paragraph 6 of C.F.M.(45) 21)

It was agreed that Article 14 of the Armistice Terms should be accepted as the basis for dealing with the question of apprehending and trying persons accused of war crimes.

Fascist organisations (Paragraph 7 of C.F.M.(45) 21)

It was agreed that Article 15 of the Armistice Terms should be accepted as a basis of discussion for dealing with pro-Hitler, pro-Fascist and other organisations in Roumania conducting propaganda hostile to the United Nations, on the understanding that the examining body would consider whether, in view of the action already taken by

the Roumanian Government under Article 15 of the Armistice Terms, it was necessary to make any provision for this point in the Treaty.

Withdrawal of Allied Forces (Paragraph 8 of C.F.M.(45) 21)

It was agreed that, on the conclusion of the Peace Treaty all Allied forces would be withdrawn from Roumania (except as might be provided for the maintenance of the lines of communication of the Red Army with the Soviet zone of occupation in Austria) and that all unused currency and goods would be returned to the Roumanian Government.

Transylvania (Paragraph 9 of C.F.M.(45) 21)

The British and United States Delegations proposed that the frontier with Hungary should be, in general, the frontier existing in 1938, except that as regards Transylvania determination regarding the whole or the greater part to go to Roumania should be made after examining the respective claims of the two States.

M. MOLOTOV said that the task of the Council was to liquidate the Vienna Award ^{9a} and restore the award of the Treaty of Trianon.¹⁰ He thought that this decision could be taken without further enquiry.

MR. BEVIN recalled that Article 19 of the Armistice Terms provided that "Transylvania (or the greater part thereof) should be returned to Roumania, subject to confirmation at the peace settlement". All that the British Delegation wanted was to get a just and equitable frontier so that future conflict might be avoided.

M. BIDAULT suggested that in this matter the Council should follow the policy which they had adopted with regard to the Yugoslav-Italian frontier and seek, after investigation on the spot, an ethnic line which would leave as few Hungarians as possible in Roumania and as few Roumanians as possible in Hungary. Special provisions were required to protect national minorities.

M. MOLOTOV said that the bulk of the population of Transylvania was Roumanian, though there were many Hungarians and some Germans. These nationalities were closely intermingled, and it was impossible to draw a line which would not leave many Roumanians in Hungary and many Hungarians in Roumania. He quoted the letter which M. Millerand, then Chairman of the Paris Peace Conference,

^{9a} Reference is to the arbitral award by an Italian-German Commission regarding the cession of Transylvanian territories by Rumania to Hungary, made at Vienna, August 30, 1940; for documentation on this award, see *Foreign Relations*, 1940, vol. I, pp. 501-503, and *Documents on German Foreign Policy, 1918-1945*, series D, vol. x, pp. 581-584.

¹⁰ Treaty of Peace between the Allied and Associated Powers and Hungary, signed at Trianon, June 4, 1920; for text, see *Treaties, Conventions, etc., Between the United States of America and Other Powers, 1910-1923* (Washington, Government Printing Office, 1923), vol. III, p. 3539.

had addressed to the head of the Hungarian Delegation in April, 1920, to the following effect. "The frontiers established for Hungary by the Trianon Peace Treaty are the result of painstaking study of ethnological conditions in Central Europe and of national aspirations".¹¹ It was common knowledge that the transfer of Transylvania to Roumania in 1919 had the approval of the United States, British and French Governments. The Soviet Government agreed with that decision. Hitler had disagreed with that decision and cancelled it. Their duty was to reverse Hitler's decision and restore their own. The wording of Article 19 of the Roumanian Armistice Terms had been carefully chosen so as not to tie their hands in case any new circumstances should arise. But nobody had suggested that new circumstances had arisen, and he recommended that the Trianon decision should be approved.

M. BIDAULT said that the French Delegation objected to nothing that M. Molotov had said. The Vienna Award should be cancelled and the Trianon decision confirmed.

MR. BYRNES said that in 1919 the United States had tried for several months to secure a different line from that which was ultimately adopted; and, at the time when M. Millerand's letter was written, the United States had only an observer present at the Conference. He thought that by a slight change in the Transylvania frontier it would be possible to restore half a million Hungarians to Hungary. In the area which he had in mind there was a considerable Hungarian population, whose railway connections were almost entirely with Hungary, and to put them into Roumania would contribute neither to their happiness nor to the happiness or prosperity of Roumania. The total area of Transylvania was 39,600 square miles and the change which he had in mind would not affect more than 3,000 square miles. Where the lives of individuals were concerned, he would feel happier if the decision could be made after a detailed examination on the ground.

After further discussion Mr. Byrnes handed in the following revised draft of paragraph 2 of Section I of the United States memorandum (C.F.M.(45) 36).—"The frontier with Hungary shall be, in general, the frontier existing in 1938; however, as regards Transylvania the ethnic situation shall be examined with a view to determining whether

¹¹ The quoted portion appears to be a paraphrase of a statement in the letter of May 6, 1920, from the President of the Paris Peace Conference, Millerand, to the President of the Hungarian Peace Delegation. For text of the letter, in French, see *Papers and Documents relating to the Foreign Relations of Hungary*, vol. 1: 1919-1920, edited by Francis Deák and Dezső Ujváry, published by the Royal Hungarian Ministry for Foreign Affairs (Budapest, 1939), p. 287.

the award of a small part to Hungary would materially reduce the number of persons to be subjected to alien rule".¹²

The Council agreed to resume consideration of this question at a later meeting.

Resumption of Diplomatic and Consular Relations (Paragraph 10(i) of C.F.M.(45) 21)

MR. BEVIN withdrew the second sentence of this paragraph of the British draft; and it was agreed that a provision should be included in the Treaty covering the resumption of diplomatic and consular relations with Roumania.

Position of International Organisations (Paragraph 10 (ii) and (iii) of C.F.M.(45) 21)

M. MOLOTOV said that the proposals that Roumania should accept the arrangements made by the United Nations for the liquidation of the League of Nations and the Permanent Court of International Justice and should recognise the authority of the United Nations organisations, were in his view covered by the Soviet proposal that Roumania should be required to cooperate with the Allied Powers and execute such measures as they might adopt for the maintenance of world peace (paragraph 4 of C.F.M.(45) 8).

MR. BEVIN agreed that the proposals in paragraph 10 (ii) and (iii) of C.F.M.(45) 21 should be considered in connection with the proposal in paragraph 4 of C.F.M.(45) 8.

MR. BYRNES said that he had no strong objection, as the signature of the Treaty assumed prior recognition of a Government with satisfactory qualifications for admission to the United Nations.

¹² The American minutes do not record the presentation of the revised draft of paragraph 2, Section I of the United States Memorandum, but they contain the following exchange at this point in the discussion:

"MOLOTOV asked if they could have Mr. Byrnes' proposal in writing.

"BYRNES said he did not know where the line should be. The total area of Transylvania was 39,686 square miles. Our proposed change in the line would not affect more than 3,000 square miles or less than one-tenth the area of Transylvania. People would feel better if our decision was made after the question had been studied on the spot.

"MOLOTOV asked what was proposed.

"BEVIN said he was ready to accept paragraph 2 of the American paper. (at this point a map showing the line under consideration by the American Delegation was shown to Mr. Molotov).

"MOLOTOV said that the wording of the American paragraph 2 seemed to give an exaggerated idea of what was proposed on the map shown him by Mr. Byrnes. He thought it better to study the matter and to revert to it in a day or two.

"BYRNES said he agreed that they pass it over until they could find language to express the United States idea better." (740.00119 Council/9-1145) The map produced at the meeting at this time not found in Department files.

International Control of Danube (Paragraph 19(iv) of C.F.M. (45) 21)

The British and United States Delegations proposed that Roumania should accept any arrangements agreed for the international regime of the Danube.

M. MOLOTOV said that Roumania should not be asked to accept an obligation of this nature when she did know what was involved. No regime for the Danube had been agreed to, as far as he knew, and it was too much to demand acceptance of an agreement which did not even exist.

MR. BEVIN said that this proposal was not intended to prejudge the question of the administration of the Danube. All that was proposed was that, when an agreement was reached, Roumania should be required to co-operate in giving effect to it. Roumania would be a sovereign power when she signed the Treaty, and unless some such provision was included in the Treaty she would be in a position to sabotage any international agreement which had been made in respect of the Danube.

MR. BYRNES pointed out that there could be no agreement on the administration of the Danube without the agreement of the Soviet Government and they ought to ensure that Roumania would not be in a position to prevent the operation of any agreement entered into by the Soviet and other Governments.

After further discussion the Council agreed to adjourn consideration of this proposal.

Position of Existing Treaties (Paragraph 19(v) of C.F.M.(45) 21)

It was agreed that further consideration should be given to this proposal, in order to specify which Treaties Roumania should be required to keep in force and which Treaties she should abrogate.

Bill of Rights (Paragraph 10(vi) of C.F.M.(45) 21)

It was agreed that Roumania should be required to maintain a Bill of Rights on the lines already accepted for inclusion in the Italian Peace Treaty. The details of such a provision would require examination.

Reception of Roumanian Nationals (Paragraph 10(vii) of C.F.M. (45) 21)

MR. BEVIN agreed to withdraw the proposal that Roumania should be required to receive Roumanian nationals returning from abroad and to accept full responsibility for them.

War Graves (Paragraph 10(viii) of C.F.M.(45) 21)

It was agreed that detailed consideration should be given to the proposal that the Peace Treaty should contain provisions regarding the war graves of Allied nationals in Roumania.

Financial and Economic Clauses (Paragraph 11 of C.F.M.(45) 21)

It was agreed that the proposals in paragraph 11 of the memorandum by the British Delegation should be referred for detailed consideration in connection with paragraph 2 of the memorandum by the Soviet Delegation (C.F.M.(45) 8).

Admission to United Nations Organisation (Paragraph 12 of C.F.M.(45) 21)

It was agreed to postpone further consideration of the proposal in paragraph 4 of the memorandum by the Soviet Delegation (C.F.M.(45) 8) regarding the candidature of Roumania for membership of the United Nations Organisation.

The Council agreed to consider at their meeting on the following day the further proposals in the memorandum by the United States Delegation (C.F.M.(45) 36) on the provisions of a draft Peace Treaty for Roumania.

740.00119 Council/9-2045 : Telegram

The Acting Secretary of State to the Secretary of State, at London

WASHINGTON, September 20, 1945—7 p. m.

8253. Secdel 87. Greek Amb called Dept Sept 18 presenting note¹³ bitterly protesting Greek exclusion from Italian peace discussions. Note points out Greek Govts previously expressed dissatisfaction with Potsdam decision limiting participants to Five Powers, and states invitations to all states engaged in operations against Italy, except Greece and Ethiopia, have deepened Greek disillusionment and resentment. Explanations given in the press do not justify exclusion of Greece, which was at one time only ally victorious against Italy and which both as belligerent and as Adriatic power has stronger interest in Italian settlement than attaches merely to Dodecanese question. Instead of protesting directly to Council, Greek Govt prefers application to US and UK Govts, hoping they will take "initiative to restore Greece to its rightful place among her Allies". The Ambassador stated orally that the Greeks could not understand why Greece had not been invited at least to submit to Great Powers a memorandum setting forth Greek views on subject of Italian peace.

Any pertinent information you care to transmit, either for Dept's confidential background or for communication to Greek Amb, concerning reasons for non-inclusion at this time of Greece will be appreciated. Also indications of methods by which Greek interests in Italian settlement will be taken care of in future.

¹³ Not printed.

Full text Greek note being forwarded airmail.

Sent to London : repeated to Athens.¹⁴

ACHESON

740.00119 Council/9-2045 : Telegram

The Acting Secretary of State to the Secretary of State, at London

WASHINGTON, September 20, 1945—7 p. m.

8254. Secdel 90. In instructions dated August 25 the Italian Foreign Minister asked the Italian Ambassadors in Washington and London to inform the State Department and the Foreign Office of Italian efforts to effect direct relations with the Yugoslav Government in order to settle controversial points. After reviewing these efforts the Ambassadors were to request the US and UK Governments to enjoin the Yugoslavs to accept Italian overtures so that discussions could proceed. The Italian Government intended also to ascertain whether Moscow would intervene in similar fashion with the Yugoslav Government. The Italian Ambassadors were to point out to the US and UK that their Government hoped the Western Allies would coordinate their efforts with the USSR before intervening at Belgrade on behalf of Italy in order that Russian susceptibilities might not be irritated.

In following out his instructions on September 15 the Italian Ambassador expressed his personal opinion that the problems facing Italy and Yugoslavia could not be settled by direct negotiation regardless of Italian goodwill and that the procedure followed by the Council of Foreign Ministers in inviting Italian and Yugoslav representatives to submit the views of their Governments is a wise one.

ACHESON

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Proposals by the Australian Minister for External Affairs (Evatt) to the Council of Foreign Ministers

C.F.M.(45) 32

LONDON, 20 September, 1945.

ITALIAN PEACE TREATY

CITY AND PORT OF TRIESTE

The following are the proposals, in the form of draft headings for inclusion in the treaty of peace with Italy, concerning the disposition of the City and Port of Trieste, which were referred to by Dr. H. V. Evatt in his statement to the tenth meeting of the Council,* held on 18th September, 1945 :—

¹⁴ As telegram No. 987.

*C.F.M.(P) (45) 10th Meeting, Minute 1. [Footnote in the original.]

(1) Italy to renounce in favour of the United Nations her Sovereignty over the City and Port of Trieste and immediately adjoining territory.

(2) Trieste to be neutralised and demilitarised.

(3) Trieste to be made administratively independent according to a constitution which will accord a substantially equal share in the local administration to Italian and Yugoslav residents, the constitution to be drawn up by or on behalf of the United Nations after consultation with representatives of Italian and Yugoslavian interests.

(4) A convention to be drawn up between Italy and Yugoslavia, Central European Countries and the autonomous City of Trieste, providing for the institution of a free port at Trieste and the facilitation of rail and other communications to and from Trieste for the purpose of international trading. Such convention to be embodied in the treaties of Peace.

(5) The constitution of the independent City to be placed under the guarantee of the United Nations which will provide appropriate means of general supervision or specific control over the local administration and of associating the representatives of other countries with such administration.

(6) The full protection of civil and religious liberties shall be guaranteed in the convention and made enforceable in the Courts of Justice.

(7) Arrangements regarding retention or change of residence or nationality and the right of disposal or retention of property.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the French Delegation to the Council of Foreign Ministers

C.F.M. (45) 38

LONDON, 20 September, 1945.

GERMAN REPARATIONS

The French Delegation draw attention to the fact that the Provisional Government of the Republic, not having been invited to take part in the Potsdam Conference, have not up to the present subscribed to the decisions made by the three Powers, particularly as regards the settlement of German reparations. Their agreement on this point cannot be given so long as certain problems of essential importance to France, to which the French Government have repeatedly drawn the attention of the United States, British and Soviet Governments, remain unsettled.

But the French Government consider that the necessary assurances and explanations could be provided during the present session of the Council of Foreign Ministers. The Delegation therefore propose to formulate, in the present memorandum, the requirements which they hope will be studied and satisfied with the least possible delay.

1. The French Government are keenly desirous to see concrete steps taken for the execution of a programme of reparations in favour of all the United Nations who have suffered from German aggression. They therefore welcome the contribution made towards the solution of these practical problems by the Soviet proposals suggesting the transfer of the seat of the Inter-Allied Reparations Commission to Berlin and the acceleration of the work of the Control Council and of the Reparations Commission with a view to deciding the total amount and the nature of the industrial equipment to be taken from the Western zones of Germany.

2. The French Delegation feel, however, that the decisions arrived at in Potsdam concerning deliveries under the heading of reparations can only be put into effect if the property, rights and interests which are to be taken over, both in Germany and in the countries occupied by the German armies, are first shown to be exclusively and authentically German.

In application of this principle France asks for a decision to be taken on the following matters as soon as possible:—

(a) the restitution of the property seized by Germany under cover of the occupation in the territory of the United Nations, whenever such property can be identified and is found in the Eastern and Western zones of Germany, or in any other territory. Such restitution should be the subject of definite executive agreements providing for the despatch of recovery missions;

(b) the restitution of the equivalent of gold, precious metals or valuables by advance deliveries of property found in the Eastern or Western Zones of Germany;

(c) the enforcement of the Declaration of the United Nations dated 5th January, 1943,¹⁵ i.e. the recognition of the nullity of the spoliation which Germany has perpetrated of the property, rights and interests of the United Nations, whatever their geographical location may be. The application of the Declaration of the 5th January, 1945 [1943?] should in particular, enable Allied governments and nationals to recover the holdings owned by them in various central and eastern European countries, which in certain cases they have been compelled to hand over to the German authorities. Such property, rights and interests must not be regarded as German, and consequently cannot be the subject of transfer to another United Nation under the terms of any reparations scheme.

3. Finally, the French Government ask for a share also of the preliminary deliveries which are to be made of industrial equipment regarded as not essential to German peace-time life in the western zones. They would like in this respect to be treated not less favour-

¹⁵ For text of the Declaration by the United Nations, January 5, 1943, regarding forced transfers of property in enemy-controlled territory, see *Foreign Relations*, 1943, vol. I, p. 443.

ably than the most favoured nation. But they could not for their part agree to such deliveries being effected in the western zones before they have had satisfactory replies to the three points set out in paragraph 2 above.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

*Record of Decisions of the Fifteenth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 21, 1945, 11 a.m.*¹⁶

C.F.M.(P) (45) 15th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault (Chairman)
M. Couve de Murville
General Catroux
M. Fouques Duparc

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Hollington Tong
Mr. Yang Yun Chu
Mr. Hsieh Kwang-Tsien

1. LETTER OF SENIOR SECRETARY OF THE JOINT SECRETARIAT, MR. NORMAN BROOK

The Joint Secretariat are authorised to supply to representatives of the Italian Government, on request, copies of the statements made to the Council by the Yugoslav representatives (C.F.M.(45) 26 and 31¹⁷) on the question of the Yugoslav-Italian frontier and Trieste.

2. RECORD OF PROCEEDINGS OF THE COUNCIL

The daily record prepared by the Joint Secretariat in accordance with C.F.M.(45) 12¹⁸ should be confined to a record of decisions reached by the Council and should not include any account of the discussions.

The preparation of a draft Protocol, to be approved by the Council at the conclusion of the present Conference, should be begun without

¹⁶ Beginning with the 15th Meeting of the Council of Foreign Ministers, the agreed record prepared by the Joint Secretariat excluded any account of discussions. Regarding the decision of the Foreign Ministers to confine the record to decisions only, see item 2 of this record of decisions and the United States delegation minutes of this meeting, *infra*.

¹⁷ Statements by Representatives of the Yugoslav Government to the Council of Foreign Ministers, C.F.M.(45) 26, September 18, p. 229, and statement by the Yugoslav Deputy Prime Minister to the Council of Foreign Ministers, C.F.M.(45) 31, September 19, p. 258.

¹⁸ Report by the Deputies to the Council of Foreign Ministers, September 13, p. 155.

further delay by a Committee consisting of the Secretaries of the Delegations.

3. ROUMANIA: PEACE TREATY

An exchange of views took place between M. MOLOTOV and MR. BYRNES about the note of reservation prefixed to the memorandum by the United States Delegation (C.F.M.(45) 36) ¹⁹.

740.00119 Council/9-1145

*United States Delegation Minutes of the Fifteenth Meeting of the Council of Foreign Ministers, London, September 21, 1945, 11 a. m.*²⁰

M. Bidault in the Chair.

BYRNES circulated a paper concerning a request of the Secretary of the Conference for instructions in regard to a possible request of the Italian representative for the text of the Yugoslav statement to the Council.

MOLOTOV said he thought the Conference had no Secretary but did have a Senior Secretary.

BYRNES said he did not know whether the paper was signed Junior, General or what, but it made absolutely no difference to him.

MOLOTOV said he was making no claims.

BIDAULT asked what the decision of the Council was on the request that had been made.

BYRNES pointed out that both sides had published in the newspapers the greater part of their statements. He preferred to let the Italians have it rather than refuse what had already been published in the newspapers.

This was agreed.

BIDAULT said the next question was that of their minutes.

MOLOTOV thought they should keep minutes of the decisions reached and not of their debates, as it would take too much time to clear them.

BYRNES said that on a number of occasions they had referred questions to the Deputies to be considered in the light of the views expressed at the table.

MOLOTOV replied that the Deputies would be guided by the minutes kept by each of them separately. It was necessary to make the work of the Council easier. He thought it was not necessary to include everything in their minutes but only what they decided to include.

BYRNES suggested that the secretaries of the various delegations form a Protocol Committee to prepare the record of their decisions.

¹⁹ September 19, p. 266.

²⁰ For the list of participants at this meeting, see the Agreed Record of Decisions, *supra*.

This was agreed to.

BIDAULT asked if it were understood that the daily minutes would contain merely a record of decisions or a record of the debates. He understood that Mr. Byrnes wished to postpone a decision.

BYRNES said he was ready to settle the matter today. Mr. Molotov thought each delegation should keep its own record and when the Deputies met each would depend upon his own minutes of the meetings of the Council.

BEVIN thought all this had been settled when they accepted the report of the Deputies on the Joint Secretariat.²¹ It was all set forth in Paragraph 5, to which they had unanimously agreed. Could they not continue that until the end of the Conference?

MOLOTOV thought that a wider interpretation was being placed on this decision and one with which the Soviet delegation did not agree. The Soviet delegation had not committed itself to minutes. The Council had held fourteen meetings, and he inquired if they had agreed minutes on any of them.

BEVIN read Paragraph 5 of the document setting up the Secretariat including the phrase stating that the arrangement was subject to review.

MOLOTOV again inquired if they had any agreed minutes of their fourteen meetings.

BEVIN asked if they could refer the question back to the Deputies and have them make a recommendation on the method of preparing the protocol.

BYRNES disliked having so much time taken up on procedure but thought they might as well decide the question now. His information was that for four days there had been agreement on behalf of four delegations but not on behalf of the Soviet delegation. The result was that there were no agreed minutes. If there was no agreement, there was no use of the Deputies' discussing it and they might as well take Mr. Molotov's suggestion and then when the Deputies met each would depend upon his own record of the meetings.

BEVIN said two proposals had been submitted. One was to refer the matter to the Deputies. The second was that each delegation would depend on its own minutes.

MOLOTOV said this was not correct. His suggestion was that they draw up the protocol of the decisions taken. His suggestion was not that they need not have a protocol. The suggestion was that they have minutes only of decisions. The documents circulated could be attached, if desired.

BIDAULT said that his remarks had related to the minutes of the meetings. He thought the Council had agreed on a daily record

²¹ C.F.M. (45) 12, September 13, p. 155.

and not simply on a record at the end of the Conference. He understood that Mr. Molotov's proposal in regard to decisions was accepted, that is that the minutes should only record the decisions.

MOLOTOV said he had misunderstood, and he agreed.

BIDAULT said then what about the record of their discussions? Were they going to accept Mr. Bevin's suggestion to send the question to the Deputies or would each delegation keep its own minutes? He hoped they could settle this quickly.

BEVIN thought the minutes should be circulated as they now were, without committing anyone. Those delegations that could agree could have the minutes.

MOLOTOV objected to this. Either they drew up agreed minutes or they did not. Every delegation could keep whatever record it wanted, but they should not circulate minutes that were not agreed by all. He had not delegated any such authority to the Secretariat.

BEVIN said he was surprised. They had gone to the 14th meeting without having any objection. There was nothing wrong with the minutes as far as he could see.

MOLOTOV replied that they had a Joint Secretariat, and that it should only work jointly. They could not entrust it with work in which the Soviet secretariat did not participate.

BYRNES said that he had been discussing procedure in the Council about fifty percent. of the time here. He held no strong opinions, because they had to work by unanimous agreement. He disliked to turn over to the Deputies some controversy they had had and waste their time.

BEVIN said he did not press it, and withdrew the proposal. He said he would give Mr. Byrnes a solemn pledge that he would not discuss procedure again during this Conference.

DRAFT TREATY WITH RUMANIA

BIDAULT said they were discussing Paragraph 2 of the American draft directive,²³ to which he had an amendment which he proceeded to read. It was as follows:

The frontier with Hungary shall be, in general, the frontier existing in 1938; however, as regards Transylvania the ethnic situation shall be examined with a view to determining whether the award of a small part to Hungary would materially reduce the number of persons to be subjected to alien rule.

This was agreed to.

BIDAULT proposed they take up the draft treaty with Bulgaria.

MOLOTOV asked if the American delegation withdrew its proposals for Rumania.

²³ C.F.M. (45) 36, September 19, p. 266.

BYRNES replied in the negative but said that in the Soviet paper ²⁴ and in the British paper ²⁵ most of the items of the American proposals had been covered, and it would not be helpful to go over them again. He did not ask for further consideration.

MOLOTOV remarked that this was so much the better. He went on to say that he was entitled to revert to the statement made at the beginning of the discussion of the Rumanian treaty. He proposed to make a declaration in regard to the note contained in the American Memorandum. The American delegation had thought it proper to make a reservation in regard to the present Rumanian Government. The American delegation had stated that it considered the present Rumanian Government as not being representative of all democratic elements and that it would wait until such time as a more democratic government was established in Rumania before concluding a treaty. The Soviet delegation considered that for some reason the American delegation did not indicate the true reasons for their reservation. If they listened to such a note, and it was circulated in writing, they must understand its meaning. The Soviet delegation must not pass by this note in silence.

He wanted to compare the Rumanian and Italian Governments. It was said that the Rumanian Government was not democratic, but who could say that the Italian Government was more democratic than the Rumanian Government? The American Government found it possible to maintain diplomatic relations with the Italian Government and to conclude a peace treaty with it. With Rumania they did not want to conclude a peace treaty or to have diplomatic relations with the Rumanian Government. There was no doubt but that the Rumanian Government was more democratic than the Italian Government. Let them take the example of Spain. The Government of Spain was Fascist, yet the United States Government was able to maintain diplomatic relations with the Spanish Government and had its diplomatic representative there. It had not been said that the United States Government could not maintain diplomatic relations with Spain because it was Fascist. The reasons given for the American note were not the true reasons.

There was a Fascist government or a semi-Fascist government in Argentina, nevertheless the United States did not refuse to maintain diplomatic relations with Argentina or to conclude agreements with it.

In Greece the Greek Government was suppressing by terroristic methods elements in the country with which it had concluded an agreement. Nevertheless the United States continued relations and agreed that the Greek Government hold elections and then change

²⁴ C.F.M. (45) 8, September 12, p. 149.

²⁵ C.F.M. (45) 21, September 17, p. 219.

the Government. For some reason a different procedure was being suggested for Rumania. In Rumania there existed a government hostile to the Soviet Union under General Rădescu²⁶ which had brought about the threat of civil war. The United States did not raise the question of this government being unsuitable. The characteristic feature of the Rădescu Government was that it was hostile to the Soviet Union and did not carry out the armistice terms. Now in Rumania there was the Groza Government²⁷ which enjoyed the support of the overwhelming majority of the population, and no one could deny this. There was a government which was honestly carrying out the armistice terms. He asked, was not the reason why the American Government was opposed to this Government because it was friendly to the Soviet Union? No one required the United States Government to like what it did not like. That was its right, and it was free to say so. But this was not the question. The United States accused the Rumanian Government of being undemocratic and refused to have any dealings with it. This did not correspond with the facts. The Rumanian Government was liked by the Rumanian population, but not by the American Government. What should be done? Should they overthrow it because it was not liked by the United States Government and set up a government that would be unfriendly to the Soviet Union. In such an undertaking the Soviet delegation would not be able to assist the American delegation. Molotov said he made no suggestion because Mr. Byrnes had also made none; but he had replied, as this note in the American Memorandum represented a thrust not only against the Rumanian Government but also against the Soviet Union.

BYRNES said the note at the beginning of the United States paper explained the American position. It had been submitted because the United State delegation had wished to proceed with drafting the peace treaty with Rumania but did not want the American position to be misunderstood or to mislead anyone into believing that the United States could conclude a treaty with the present Rumanian Government. At Yalta the heads of government agreed to do their best to allow the peoples of the liberated areas to determine on governments of their own choosing. They had agreed to favor interim governments that would be broadly representative of all elements and committed to the holding of early elections. At Potsdam the President of the United States had stated not once but a dozen times that the United

²⁶ Gen. Nicolai Rădescu, Rumanian Premier from November 1944 to March 1945.

²⁷ Petru Groza, Rumanian Premier in a Soviet-oriented government installed on March 10, 1945, in succession to the Rădescu government. For documentation regarding the concern of the United States over the downfall of the Rădescu government and the installation of the Groza government, under Soviet pressure, see vol. v, pp. 464 ff.

States would not recognize the present governments of Rumania or Bulgaria. There was a difference of opinion between the President of the United States and Marshal Stalin, but Marshal Stalin had never questioned the motives of the United States Government. That was left to Mr. Molotov. He did not believe that the hope expressed at Yalta that the Allies would concert their policies with regard to the provisional governments was helped by such action on the part of Mr. Molotov.

Mr. Molotov insisted on telling the United States Government what governments it would recognize. The United States Government did not tell the Soviet Government that it should recognize the governments which we recognize. It was needless for him to say that it was untrue that the United States declines to recognize the Rumanian Government because it is said that the Rumanian Government is friendly to the Soviet Union. After Yalta²⁸ when the situation in regard to the Provisional Government in Poland was improved the United States was very happy about this and its relations with the Polish Government were excellent, although we knew of things about which we were surprised and which we hoped would be remedied.²⁹ The Government of Finland was friendly to the Soviet Union and the United States had recognized the Finnish Government.³⁰ The Government of the United States believed in keeping pledges. When at Potsdam the United States had said it would examine each question separately, it kept that pledge and he pointed out that no reservation was made by the United States delegation in regard to the Hungarian Government. As a result of its investigation, the United States had concluded that while the Government of Hungary was not a perfect government, such improvements had been made in the situation that the United States had instructed its representatives in Hungary that if the Hungarian Government would pledge itself to hold free elections in accordance with Yalta the United States would recognize Hungary.³¹ It was therefore shown conclusively by our actions in regard to Finland, Poland and Hungary that statements made by Mr. Molotov regarding the motives of the United States Government were both unfair and untrue. They must consider each case separately.

²⁸ The Conference at Yalta between President Roosevelt, Prime Minister Churchill, and Marshal Stalin, February 4-11, 1945.

²⁹ For documentation regarding the efforts by the United States to assure the fulfillment by the Polish Provisional Government of the Yalta and Potsdam Agreements regarding Poland, see vol. v, pp. 361 ff.

³⁰ For documentation regarding the reestablishment of diplomatic relations between the United States and Finland on August 31, 1945, see vol. iv, pp. 624 ff.

³¹ The instruction referred to here was contained in telegram 4, September 18, from the Secretary of State in London to the American Representative in Hungary; see *ibid.*, p. 872, footnote 75. Additional documentation regarding the question of the reestablishment of diplomatic relations between the United States and Hungary is printed *ibid.*, pp. 798 ff.

The United States knows that the Groza Government was established when Mr. Vyshinski told the King [he] had two and a half hours to establish that government.³² That action was not quite in accord with the spirit of the Atlantic Charter or any other declaration of their purposes in the days following the war. The United States had to rely on their reports in regard to Rumania, and these reports had shown that men were not free. The government was not representative of the people in the language of the Yalta agreement. Officials of the United States had been forced to delay for weeks before they could enter the country. Entry of the United States press representatives was delayed, and when they did enter their reports were censored. Any election held under a provisional government of that character would always be questioned by the free peoples of the world.

In his criticism of the United States Government Mr. Molotov had referred to its action in regard to other governments. In Italy, as in Finland and as now in Hungary, the governments of those countries were unlike the government of Rumania. He made no statement in regard to the government of Greece, except to say that when Mr. Molotov had mentioned observers, he wished to point out that they were going to Greece on the invitation of the Greek Government. He asked if anyone could imagine the Groza Government sending anyone to Rumania to observe the election.

He would not discuss Franco³³ and the Argentine as Molotov knew that at Potsdam the United States Government had expressed itself in regard to the government of Franco and the Argentine, and Mr. Byrnes was the man who had framed the language concerning the Franco Government.³⁴

They had been dealing with a situation regarding which at Yalta, when there was no such attitude on the part of Mr. Molotov, there was agreement on common action toward the peoples of liberated Europe and the establishment of democratic governments.³⁵ Mr. Molotov asked if the Rumanian Government should be overthrown because the United States Government did not like it. The United [States] Gov-

³² For a report on the meeting between King Michael of Rumania and Soviet Deputy Foreign Commissar Andrey Yanuaryevich Vyshinsky on February 28, 1945, see telegram 146, February 28, from Bucharest, vol. v. p. 487.

³³ Generalissimo Francisco Franco y Bahamonde, Chief of State and President of the Spanish Government.

³⁴ Apparent reference by the Secretary of State to the expression of disfavor of the Governments of the United States, the United Kingdom, and the Soviet Union to any application for membership in the United Nations on the part of Spain, contained in section X of the Report on the Tripartite Conference of Berlin, *Conference of Berlin (Potsdam)*, vol. II, p. 1510. Regarding the discussions at the Conference incident to this expression of disfavor, see *ibid.*, p. 1637, index entries under Spain: United Nations, unfavorable attitude toward admission of Spain.

³⁵ For text of the Declaration on Liberated Europe, see section V of the Report of the Crimea Conference, February 11, 1945, *Foreign Relations, The Conferences at Malta and Yalta, 1945*, p. 971.

ernment made no such request. The United States Government could do nothing about the government of Rumania except to say that with its ideas of freedom it did not think that in Rumania there was freedom, or freedom of religion or democracy. In any action which it took the United States had to keep in mind its responsibility before the peoples of the world. The Government of the United States was satisfied that the Soviet Government did not really believe that the United States Government wanted in Rumania a government unfriendly to the Soviet Union. Nothing would make the United States Government more unhappy than to think such motives could seriously be attributed to it, because the United States Government wanted Governments in the Balkans friendly to the Soviet Union. The Government was concerned also not only that the Balkan governments would be friendly but it was our hope that the peoples as well as the governments would be friendly to the Soviet Union, just as the people of the United States wanted to be friendly with the Soviet Union.

MOLOTOV said that in regard to Mr. Byrnes' remarks he could only state two elementary facts. Mr. Byrnes had tried to make clear that the Government of the United States did not regard the Rumanian Government as democratic. No single fact had been produced to prove the dissatisfaction of the Rumanian people with the Rumanian Government. There had been some statements made that United States correspondents were not friendly with the Rumanian Government. What was more important, that the Rumanian people had not expressed dissatisfaction with their government or that U. S. correspondents were dissatisfied with the Rumanian Government because it had failed to comply with their caprices? If the Rumanian people were satisfied with their government, the correspondents would come to understand this and would not demand a change.

Mr. Byrnes had referred to the fact that the Soviet representative had intervened in modifying the Rumanian Government. This was repeated hearsay of the so-called two hours in which this change was effected. Why repeat hearsay? It would be better to deal with facts. He had already noted that the situation in Rumania had been such that semi-Fascist elements headed by General Radescu had brought the country to the brink of civil war. At that time the American representative had not expressed his dissatisfaction with the Rumanian Government. As soon as order had been established in the country and it had begun faithfully to fulfil the armistice terms, their American friends had taken advantage of the famous two hours—which would probably soon become two minutes—to discredit the Rumanian Government. What was the use of all this? He knew the government of Franco was not liked by the American Government,

nor was the government of the Argentine; yet the United States maintained diplomatic relations with them. Mr. Byrnes did not speak of the present Greek Government, and he did not know whether the American Government liked it or not. Perhaps American correspondents liked it. He knew that many democratic elements in Greece did not like the present Greek Government. The fact that American correspondents liked the Greek Government enabled the United States to maintain relations with Greece. The United States maintained relations with governments of these countries not because they were democratic. Mr. Byrnes had referred to the fact that the American Government had decided to recognize the government of Hungary. Who could prove by facts that the Rumanian Government was less democratic than the Government of Hungary? Nevertheless the American Government said what it liked. It was a question of taste. What had democracy to do with this? The Soviet attitude toward all the satellites of Germany was the same. Now that victory was won, they thought it possible to have dealings with any government which did not cause dissatisfaction among the people and which carried out the armistice terms, regardless of whether such government was entirely satisfactory. This was not a reason for overthrowing a government.

He asked if it were possible to substitute for such a government as that to which he had referred a government which would cause dissatisfaction on the part of the people and would not carry out the armistice terms but which would be liked by foreign correspondents.

Mr. Byrnes had spoken of Poland and had said that they had done well in this case. But in this case there were two Polish governments, and it had been necessary to end this situation.³⁶ There were not two governments in Rumania. They should not create another government in Rumania which would be hostile to the Soviet Union.

Mr. Byrnes had said that they were basing themselves on the Yalta Declaration. That was absolutely right. It provided a basis for their joint work. The Yalta Declaration stated that their purpose was to destroy the last vestiges of Naziism and Fascism and to allow the peoples of these countries to select governments of their own choosing. The Soviet Union maintained this position. He wondered if the United States delegation had changed its attitude. In any case the Soviet Union had not changed. The Soviet Government maintained its attitude in this as in other cases, but he would like it to be made clear whether the American Government had changed its attitude.

³⁶ The second Polish Government referred to would presumably be the Polish Government in Exile at London. For documentation regarding the negotiations leading to the establishment of the Polish Provisional Government of National Unity, see vol. v, pp. 110 ff.

At San Francisco the American Government had said in writing that it agreed to support the Soviet proposals, in particular those relating to Tripolitania. It was clear that there was no reference in the correspondence to Tripolitania, but there was reference to trusteeship territories in general. The American Government had informed them through the Secretary of State and Commander Stassen³⁷ that they would support the Soviet proposal to have a trusteeship. As soon as the question was raised at the Conference, the Soviet Delegation had encountered a different attitude on the part of the American delegation. Perhaps they had forgotten. However, he had given copies of the correspondence to Mr. Byrnes in London. This was another example that the attitude of the United States Government had changed.

Mr. Byrnes had made no specific proposals nor did he, but if it had not been for the United States note on this paper on Rumania he would not have been compelled to reply. He had been compelled to reply in view of the United States note.

BYRNES said he would not reply to anything Mr. Molotov had said in regard to Rumania. They did not and could not agree. He was always sorry when he could not agree with any of his colleagues. Mr. Molotov had made a statement in regard to a letter written to him by his predecessor, Secretary Stettinius, which Mr. Molotov said was a promise to support the Soviet proposal to receive a trusteeship, and had mentioned Tripolitania. He wanted the Council to know the facts. The letter Mr. Molotov had given him recounted in its first paragraph a statement made to Secretary Stettinius by Commander Stassen to the effect that the Soviet Government wished to know if a favorable attitude would be taken by the United States if in the future the Soviet Government made a proposal to receive a trusteeship. He had added that the Soviet Government did not have in view any concrete territory but had hoped that the two governments might reach agreement in principle.³⁸ Secretary Stettinius' reply was as follows:

(Mr. Byrnes read the letter.³⁹)

That is all the Secretary of State said. Mr. Byrnes had known nothing about it but he found no fault with it. He thought that if he said he considered the United Kingdom eligible as a trusteeship power he would not be accused of breaking his word if he did not support them if they asked for the trusteeship of the moon and the sun.

³⁷ Comdr. Harold L. Stassen, member of the United States delegation to the San Francisco Conference.

³⁸ For text of the letter of June 20, from the Acting Chairman of the Soviet delegation to the San Francisco Conference (Gromyko) to Secretary of State Edward Stettinius, Chairman of the United States delegation, see vol. I, p. 1398.

³⁹ For text of the letter of June 23, from the Secretary of State to the Acting Chairman of the Soviet delegation (Gromyko), see *ibid.*, p. 1428.

BEVIN said that British ambitions had never reached so high. MOLOTOV said he would like to enjoy more sunshine.

BYRNES observed that Mr. Molotov was responsible for most of the gloom at their meeting.

MOLOTOV rejoined that he would share the blame fifty-fifty.

The meeting adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Sixteenth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 21, 1945, 4 p. m.

C.F.M.(P) (45) 16th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin (Chairman)	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousser
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
Sir Orme Sargent	Mr. C. E. Bohlen	M. V. N. Pavlov

FRANCE	CHINA
M. Bidault	Dr. Wang Shih Chieh
M. Couve de Murville	Dr. Wellington Koo
General Catroux	Dr. Victor Hoo
M. Alphand	Dr. Hollington Tong
	Mr. Yang Yun Chu

ROUMANIA : PEACE TREATY

A further exchange of views took place. No decision was reached.

BULGARIA : PEACE TREATY

Further study should be given (by a procedure to be determined by the Council) to the detailed provisions of the Peace Treaty with Bulgaria, on the basis of the proposals of the Soviet Delegation (C.F.M.(45) 6)⁴⁰ in the light of the memoranda by the British (C.F.M.(45) 22)⁴¹ and United States (C.F.M.(45) 35)⁴² Delegations, and of the following decisions of principle:

Fascist Organisations (Paragraph 2 of C.F.M.(45) 22)

Article 7 of the Armistice Terms should be accepted as a basis of discussion, on the understanding that further consideration will be given to the question whether, in view of the action already taken by the Bulgarian Government under Article 7, it is necessary to include such a provision in the treaty.

⁴⁰ September 12, p. 148.

⁴¹ September 17, p. 221.

⁴² September 19, p. 263.

*Demobilisation of Bulgarian Armed Forces, etc.*⁴³ (Paragraph 3 of C.F.M.(45) 22)

Further consideration should be given to the use of Article 1 (*d*) and 2 of the Armistice Terms as a basis for a provision in the Treaty to cover the demobilisation of the Bulgarian armed forces and the steps necessary to liquidate Bulgarian aggression during the war against Greece and Yugoslavia.

Armaments (Paragraph 4 of C.F.M.(45) 22)

Section V of the Memorandum by the United States Delegation (C.F.M.(45) 35) should be accepted as a basis for detailed study of this question. This study should include the question whether any machinery is required (whether in the form of an Allied Inspectorate or otherwise) for enforcing any restrictions which it may be decided to impose on Bulgarian military establishments.

Withdrawal of Allied Forces (Paragraph 5 of C.F.M.(45) 22)

On the conclusion of the Peace Treaty all Allied forces should be withdrawn from Bulgaria and all unused requisitioned currency and goods should be returned to the Bulgarian Government.

Return of Allied Vessels (Paragraph 6 of C.F.M.(45) 22)

This question should be studied in detail and a report made to the Council.

Resumption of Diplomatic and Consular Relations (Paragraph 7 (i) of C.F.M.(45) 22)

A provision should be included in the Treaty covering the resumption of diplomatic and consular relations with Bulgaria.

The Position of International Organisations (Paragraph 7 (ii) and (iii) of C.F.M.(45) 22)

The proposals in these paragraphs should be considered in connection with the proposal in paragraph 4 of C.F.M.(45) 6.

International Control of Danube (Paragraph 7 (iv) of C.F.M.(45) 22)

No decision was reached on this question.

Position of Existing Treaties (Paragraph 7(v) of C.F.M.(45) 22)

Further consideration should be given to this proposal, in order to specify which treaties Bulgaria should be required to keep in force and which treaties she should abrogate.

⁴³ At the 28th Meeting of the Council of Foreign Ministers, it was agreed to revise this paragraph of the Record of Decisions to read as follows: "Articles 1 (*d*) and 2 of the Armistice Terms should be taken as a basis for a provision in the Treaty."

Bill of Rights (Paragraph 7 (vi) of C.F.M.(45) 22)

Bulgaria should be required to maintain a Bill of Rights on the lines already accepted for inclusion in the Italian Peace Treaty. The details of such a provision would require examination.

Reception of Bulgarian Nationals (Paragraph 7 (vii) of C.F.M.(45) 22)

The proposal that Bulgaria should be required to receive Bulgarian nationals returning from abroad and to accept full responsibility for them was withdrawn.

War Graves (Paragraph 7 (viii) of C.F.M.(45) 22)

Detailed consideration should be given to the proposal that the Peace Treaty should contain provisions regarding the war graves of Allied nationals in Bulgaria.

Bulgarian-Roumanian Frontier (Paragraph 8 of C.F.M.(45) 22)

No decision was reached on the proposal that a clause should be included in the peace treaty confirming the cession of the Southern Dobruja by Roumania to Bulgaria in 1940.

740.00119 Council/9-1145

United States Delegation Minutes of the Sixteenth Meeting of the Council of Foreign Ministers, London, September 21, 1945, 4 p. m.

Mr. Bevin in the chair

BALKAN GOVERNMENTS

BEVIN wished to say a few words on this problem and first of all in regard to Greece. Whenever there had been differences in the Council of Foreign Ministers, the illustrations of Greece had already been brought in. He pointed out that in Greece there was no censorship. The leader of the Communist party had recently held a great meeting, had advocated civil war in that country, and was allowed to do it.⁴⁴ The British had tried with their advice and that of France and the United States to get free elections in Greece. Unfortunately Greece had not been allowed to settle down because of agitation directed from outside the country in the hope he supposed that other governments would be led to change their policy. There would be no change of policy. Greek elections would be free and there would be free speech and a free press. He did not pretend that the Greek Government was representative in the sense of having been elected. It was a caretaking Government to see the elections through. As they had had a care-

⁴⁴ Presumably reference here is to a speech in Salonika by Nicholas Zachariades, leader of the Greek Communist Party.

taking Government in Great Britain followed by very satisfactory results, he hoped that they would have the same results in Greece.

Turning to Rumania the British Delegation felt just as Mr. Byrnes did on this question. They felt that this was a government that was created and that it was impossible that it could conduct free elections. Mr. Molotov had said he wanted a government friendly to Russia but Mr. Bevin did not suppose Mr. Molotov would say he wanted a government subservient to Russia alone. Mr. Byrnes and Mr. Molotov had been very frank in their discussion that morning and he used the word subservient not to make accusations but because that was what people felt and he thought it better to be clear in these matters.

It seemed to be the fate of these Balkan states to get into difficulties which caused differences between large states and that was something that they must avoid at all costs now. They all accepted the view that there should be governments in these states friendly to Soviet Russia but he assumed also that they should be friendly to their neighbors and to all the United Nations. Being friendly to one did not mean being unfriendly to the others. Therefore their conduct must be such that it would not create suspicion between large states. The documents he had read and the speeches that morning led him to believe that the situation was that the governments of these countries, even if accepted as friendly by one government were such that other governments found they could not believe in their sincerity and that it was impossible to accept them as signatories to a treaty or, he supposed, consider that they could qualify to enter the United Nations. Knowing the opinion of at least three of the powers was it possible for the Council of Foreign Ministers to demonstrate its statesmanship to the world and find a solution to this problem which would inspire general confidence. The problem was simple. The Soviets wanted a government there which would not threaten its security, and [which would] carry out the armistice and be friendly to the Soviet Union without intrigue or menace to the Soviet Union interests. Other governments felt that having regard to the Yalta decisions, that these governments would not fulfill the understanding arrived at at that meeting. He asked if their purpose was to secure some machinery or whether it was to arrive at a solution and to remove this problem for all time.

BIDAULT said that he had derived one advantage from their various differences. He learned a lot here. There had been an exchange of letters at San Francisco about which France had known nothing. The meeting had shown France that there had been an agreement on a subject in which France had not taken part.

In Rumania a special diplomatic situation was reserved for France on which he did not want to insist here but it was not the same as that

of the other states represented at the conference. He did not wish to enter into a discussion of the political character of such and such a government. What was important and, as in the case of France, was that there should be elections and that they should take place in such conditions that they could not be questioned. He agreed with Mr. Byrnes that they should proceed on the basis of the tripartite agreement. In February 1945 a conference had met in the Crimea. In paragraph 5 of the agreement at that conference a communication had been addressed to the French Government inviting it to associate itself with the Declaration on Liberated Europe.⁴⁵ The French Government asked for information as to the means by which the states concerned would implement these decisions. He remembered that when he had signed the French reply it had been in the affirmative, but France had received no reply to its letter.⁴⁶ Although this decision had been taken without France, they accepted it. He thought a solution might be found in the frank statements made in the debate. That was why he asked them to recall the Yalta Declaration which he proceeded to read.

Point *c* said that the three governments would assist the peoples of the liberated states to form democratic internal governments. Point *d* said that they would facilitate the holding of elections. France had been asked to associate itself with this and the answer was in the affirmative and it would not be withdrawn. He hoped that on the basis of the Yalta Declaration they could settle the problem of the governments of those states.

MOLOTOV said the Soviet Delegation recommended the statements made by Mr. Bevin and M. Bidault.

BEVIN asked if they could proceed to give effect to the suggestion he had made. Was there any proposal for any steps that should be taken to attain the object they desired.

MOLOTOV said that so far as Greece was concerned he had no suggestion. As for Rumania his suggestion was that the situation should be studied on the spot with the greatest impartiality. He knew that there were 17 American correspondents including Hearst's as well as British and others there. There were also political representatives of Great Britain, the United States and France as well as a Control Commission. The representatives there could study the matter and

⁴⁵ For text of the communication of February 12, 1945, from the Heads of Government of the United States, the United Kingdom, and the Soviet Union to General de Gaulle, see *Conferences at Malta and Yalta*, p. 948.

⁴⁶ Regarding French questions on the matter of the Declaration of Liberated Europe, see the *aide-mémoire* from the French Embassy to the Department of State, February 17, and the Department's response of February 19, vol. iv, pp. 669 and 671, respectively.

report in order to enable them later to discuss the question in the spirit of the Yalta decision.

BYRNES pointed out that he had said before lunch he would not care further to discuss the Rumania situation but to keep the records straight the information of the United States Delegation was not the same as that of the Soviet Delegation in regard to United States correspondents. The political representative of the United States in Rumania⁴⁷ had been sent for in order that Mr. Byrnes could check up on the statement just made that there were 17 American correspondents in Rumania. He advised him that as of September 13 there was a single American correspondent who had come into Rumania to report the situation there. His statement was that soon after he had arrived in Rumania in November of last year the first application for the clearance of an American correspondent had been filed with the Allied Control Commission. Subsequently other requests had been made and repeatedly followed up with the ACC but no affirmative action had been taken until September 10, 1945. Then 11 of the 14 applications were approved. In the meantime most of the 14 had been obliged to go somewhere else as they had other things to do in life than to wait for action on their applications. The single application still standing was that of Mr. Brewer of the *New York Times*. He was in Sofia. On the date when the United States political representative left Rumania Mr. Brewer had still been unable to obtain clearance from the ACC in Bulgaria to leave that country. Before 1944 and September 10, 1945 two groups had been allowed to visit Rumania. The first group had been flown in by the Soviet Government at the end of March after representation had been made personally to Mr. Vyshinski.⁴⁸ They stayed one week and went anywhere they wanted but after their first experience with the censor they gave up trying to send out complete reports. Nevertheless the first full story was sent by one of these correspondents, Mr. White,⁴⁹ from Rome. It was sent six weeks after he left Rumania. The second set of correspondents which consisted of two journalists, arrived in Rumania without the consent of the ACC. They traveled about freely and after their first attempt to get agreement with the censor they decided to wait until they arrived at Rome to send their stories. That was the information given by the American political representative and on which the United States Delegation must base its conclusion.

⁴⁷ Burton Y. Berry.

⁴⁸ Regarding the representations made to Deputy Foreign Commissar Vyshinsky at Bucharest on March 1, 1945, relative to the necessity for taking measures promptly to ensure freedom of the press in Rumania, see telegram 151, March 1, from Bucharest, vol. v, p. 489.

⁴⁹ Leigh White of the *Chicago Daily News*.

MOLOTOV said he had no grounds for not trusting the facts he had at his disposal. He would furnish Mr. Byrnes with a list of correspondents in Bucharest. He had not checked up their citizenship nor their racial origin but they were American correspondents. He also wished to say that Mr. Byrnes might be right so far as the past was concerned and he would do his best to check up on the facts given him by Mr. Byrnes. But to speak of the past Mr. Byrnes had said that in the past year as well as at the beginning of this year certain restrictions had been imposed on correspondents in Rumania. This was true but they must remember that there was a war at that time. Not only Japan but Germany had not been defeated. The Soviet Government felt obliged to impose certain restrictions on correspondents during the period of the war. At Berlin President Truman and Mr. Churchill had stated that there were complaints on this subject and there was no pretense that there were not such restrictions at that time. Generalissimo Stalin had said that measures to bring about conditions favorable to correspondents would be taken. These measures had already been taken and he could assure Mr. Byrnes that there were 17 American correspondents in Rumania which was several times the number of Soviet correspondents there.

BYRNES said he would be glad to receive these names and to check them with the United States political representative and to advise Mr. Molotov about them.

BEVIN said he had tried his hand at a suggestion without consultation with anyone and he put it to the Council to see if it offered a possibility for a solution of their problem. It was as follows:

"The Council hereby invoke the Yalta Agreement and agree to consult together regarding the question of the Roumanian Government, the holding of elections, and the steps to be taken to secure the free and unfettered decisions of the people in the choice of their Government. The Council accordingly resolve to appoint a Commission to examine the whole problem on the spot and make recommendations to the Council for decision. Meanwhile, steps shall be taken to remove censorship and give free access to representatives of the Press".

BYRNES said the United States would agree with the proposal.

MOLOTOV said that there were enough commissions in Rumania. They had political representatives of the Soviet Union, Great Britain, France and the United States. There was a Control Commission. Let them check and report. What was the use of sending a new commission. These were official representatives from the different countries and they were capable of giving them information. Let them give more full information to enable his colleagues to form a more impartial judgement. His suggestion was that they consult their repre-

sentatives. If it were proposed to supervise the Rumanian Government that was contrary to the principles of the Yalta Declaration. The Allied Powers represented on the Council had interfered too much in the internal affairs of Rumania. There was a Control Commission to control the affairs of the Rumanian Government. To go further and to establish a new form of control would conflict with the Yalta Declaration. They should decrease and not increase their interference in Rumanian affairs.

BEVIN said he had tried to give effect to what he thought Mr. Molotov had proposed, namely, an impartial inquiry that would inspire confidence. Now he proposed to write a letter to our representatives to send in their views. The trouble was that all of them had been sending in their views but they had not been getting together to concert the results of their inquiries. He urged Mr. Molotov to accept the proposal which would not involve more control but only investigation.

BIDAULT said he had prepared a shorter proposal than that of the British Delegation. He could agree however to accept the British text except that France was not a party to the Yalta Declaration and did not want it to be mentioned. That was a matter of form.

The problem was a two-fold one. It was one, whether these representatives would have enough power and two, whether they would be able to reach common conclusions. They could entrust the matter to their own representatives on the spot who could form the commission but they must have power to discuss the matter. If as the French hoped, they agreed, their representatives could send in their agreed recommendations. If not they could send in separate recommendations.

BEVIN said the words he had used were Yalta Agreement. Could they take the resolution in two parts?

MOLOTOV asked what is being suggested.

BEVIN replied that they were considering the resolution he had read out and that they could later determine the character of the Commission.

MOLOTOV pointed out that he had already given reasons why the Soviet Delegation would not wish to send a commission to Rumania. An unfavorable interpretation would be placed on this by the Rumanians themselves. They should seek the opinion of their own representatives.

BEVIN said if it was a question only of their opinions, they already had these, but they had never sat as a commission to check their information together.

BIDAULT said it was a question of whether they send a special commission or ask their representatives on the spot to do the work being

provided with sufficient power. He thought it sufficient for their representatives on the spot to be empowered to get together and form an association and to get to work under the Council's instructions. He believed the problem could be quickly solved.

BYRNES said the United States was satisfied with the proposals of both the British and the French. If there was no agreement he suggested that they go on with the agenda as this matter was not on the agenda.

BEVIN said he would accept the French proposal that their representatives on the spot form a commission to send in a report that would be unanimous if possible but if not they would send in a majority-minority report.

MOLOTOV said he had just received a telegram which contained information on the question of correspondents in Rumania and Bulgaria. In Rumania it mentioned only the names of two British correspondents there, Gede [*Gedye*] and Harrison.⁵⁰ He read a list of the American correspondents in Bulgaria and said that on August 25 applications had been received from three other correspondents to enter Bulgaria. Permission had been issued on August 30. On September 10 applications had been received for a new group of foreign correspondents and permission had been issued on September 12. He would obtain additional information in regard to the 17 American correspondents in Rumania.

The Soviet Delegation had confidence in their representatives in Rumania and saw no need to send new ones. They had an Allied Control Commission and saw no reason to set up another.

BEVIN said agreement was apparently impossible. They tried to meet Mr. Molotov on every point but he always put up a new reason.

MOLOTOV said he thought he was among friends but he was on the defense. An offense was being conducted against him except [*especially?*] on the subject of Rumania. If the information at their dis-

⁵⁰ In a memorandum designated C.F.M.(45) 50, September 25, 1945, entitled "British Press Correspondents in Roumania" (not printed), the United Kingdom delegation stated that applications for Mr. Gedye of the London *Daily Herald* and Mr. Harrison of Reuters to enter Rumania had been outstanding since March 1945, and while the applications had frequently been brought to the attention of the Soviet Government and the Allied Control Commission for Rumania, Soviet authorities had been unable to say whether permission for correspondents to enter Rumania could be granted. The memorandum further recorded that one British correspondent was in Rumania, and two others had been there but had withdrawn because of the censorship. In a memorandum designated C.F.M.(45) 51, September 30, 1945, entitled "British Press Correspondents in Roumania" (not printed), the Soviet delegation stated that permission for Gedye and Harrison to enter Rumania had been given, that correspondents for eight English newspapers and news agencies were in Rumania as of September 28, and that foreign correspondents in Rumania had recently been exempted from having to submit their telegrams to the censors for examination. (Council of Foreign Ministers Files: Lot M-88: CFM London Documents)

posal did not enable them to reach a conclusion now he thought they should take steps to obtain more detailed information.

BEVIN said he had not tried to put Mr. Molotov in the dock but as chairman had tried to get him [out?] of the dock he was in by making suggestions.

MOLOTOV said he did not complain that he was in the dock. This had been said by Mr. Bevin. If he had left the dock he was wise. Mr. Molotov said he had said he was on the defensive and this was a different matter.

BEVIN said he did not mind being in the dock as he was a docker.

MOLOTOV remarked that both he and Mr. Bevin were not of gentry origin.

BEVIN said that before they passed on he noted that on this resolution all other Delegations he thought were in agreement but the Soviet Delegation would not accept it.

TREATY WITH BULGARIA

BEVIN said memoranda had been received from the Soviet, British and United States Delegations.⁵¹ Which would they desire to take as a basis of discussions?

MOLOTOV said the Soviet Delegation requested that the Soviet draft be taken and that the British and American amendments be examined. He could accept paragraph 2 of the British paper.

This was agreed to.

MOLOTOV said in regard to Article 7 that this would be subject to further study.

MOLOTOV said he thought paragraph 3 of the British paper was a correct proposal.

This was agreed to.

MOLOTOV said in regard to paragraph 4 that this should be dealt with as it was in the case of Rumania.

MOLOTOV asked in what way British paragraph 5 differed from that in the Rumanian draft treaty.

BEVIN said that in the Rumanian treaty they had provided for communications with Austria. This was not necessary here.

MOLOTOV thought it should be considered by the so-called Deputies.

BYRNES did not see what they would refer to the Deputies.

⁵¹ Memorandum by the Soviet delegation, C.F.M. (45) 6, September 12, p. 148; memorandum by the United Kingdom delegation, C.F.M.(45) 22, September 17, p. 221; memorandum by the United States delegation, C.F.M.(45) 35, September 19, p. 263.

MOLOTOV said he had no objection to this paragraph 6 being accepted. This was agreed to.

BEVIN suggested that paragraph 6 go to the Deputies.

This was agreed to.

MOLOTOV proposed that the whole of paragraph 7 be dealt with as was the similar paragraph in the Rumanian treaty.

BEVIN said there was one question left over from the Rumanian treaty that appeared in this paragraph. This was the provision relating to the regime of the Danube. He wished to make a statement. It had been stated yesterday that it would be unduly harsh to force a country to accept blindly any obligations of an agreement to be concluded by the Allied powers in this matter. He had investigated and found that the same action had been taken in the last war. He did not mind it being known that it was the United Kingdom Delegation that had insisted if anybody's *amour propre* was to be offended. The character of these regimes would be discussed thoroughly when they got to the American proposal. There had been an international regime for the Danube since 1856. The British Government was a participating power until 1940. At the last peace treaty Bessarabia was taken away from Russia and Russia was excluded from the regime of the Danube. In the British view that was a mistake. But it was also a mistake when the Soviet Government had made arrangements with the German Government in 1940 by which the British were excluded from the arrangement. Both of these settlements in their view were wrong. For good relations he thought they should be put right now. A few weeks ago he did not hesitate to give his views to put right the situation in regard to Tangier. Therefore if and when the five powers agreed to an international waterway agreement he did not think some Governments should be left in a position to hold them up. It followed that this clause be put in both the Rumanian and Bulgarian treaties.

BYRNES said he could only report what he had said the day before. If after the last war Allied nations were able to reach agreement on this question they ought to be able to do so now. He did not think it would be offensive to Rumania and it was very important to have this assurance.

MOLOTOV said the Soviet Delegation was not ready to discuss this question in connection with Bulgaria and that it would not relate only to Bulgaria and Rumania. In any case he could not associate

himself with the proposal of Mr. Bevin nor with the motives he had used.

BEVIN said he had not used any motives.

BYRNES pointed out that in the Soviet proposal it was provided that Bulgaria would cooperate with the Allied powers and would take any measures they adopted for the maintenance of universal peace. He submitted that this was broader language than the paragraph under discussion which was limited to the regime of the Danube. He asked if Mr. Molotov would interpret the language in his proposal as governing the international regime of the Danube.

MOLOTOV said that the paragraph cited merely repeated a paragraph in the American proposal and as that paragraph related to the Danube then this paragraph would relate to the Danube. This was a standard paragraph in all the draft treaties and he did not know whether or not it covered the Danube.

BEVIN said the U.K. Delegation preferred a specific provision and observed that the spirit of the present conference led to long debate. MOLOTOV observed that Mr. Bevin was a good chairman.

BEVIN asked if he agreed that the provision go in the treaty.

MOLOTOV replied that he had already said that this question should not be decided in connection with the Bulgarian treaty as it was a wider question.

BEVIN noted that they could not agree.

BEVIN pointed out that paragraph 8, which was the next item, had not been included in the Rumanian treaty.

MOLOTOV thought there was no need for the proposed paragraph 8 as a treaty on this matter was already in existence.

BEVIN said he would not insist but thought it would be helpful to have the powers who would sign this treaty agree as to what was done.

MOLOTOV pointed out that this had not been asked for.

BYRNES said he thought that if there was no disagreement as to substance he hoped that they could agree on the language in regard to boundaries. They had done this in the Italian treaty for the good of everyone concerned. In the treaty there was a declaration in regard to new frontiers and he drew attention to the American draft which indicated what the frontiers were.

MOLOTOV did not think it necessary to encumber the treaty with such questions.

BEVIN said they would come to the point sooner or later when they would have to recognize boundaries arrived at. If there was no agree-

ment now they could let it go. If there were later disputes he thought the United Nations organization would have to deal with it. It was the fact that there were frontiers not officially recognized that prompted him to make this suggestion in order to be of assistance.

MOLOTOV suggested that they not create artificial questions and therefore that all territorial questions raised in the American and British proposals would become the subject of discussion if included. For example, in paragraph one of the American draft Dobruja was mentioned although this was a controversial question. The second paragraph dealt with Tsaribrod which was a town on the border of Yugoslavia. How could they deal with this without summoning representatives of Yugoslavia? He thought they should be more careful in dealing with Allied powers. He understood that when they engaged in settling the frontier between Yugoslavia and Italy they had done so because it was their duty to be of assistance but when there were no controversial issues why should they interfere. Let them keep to the questions they had to settle.

BYRNES pointed out that in the armistice terms it was provided in Article 2 that Bulgarian authorities would withdraw from Greek and Yugoslav territories. That provision was not included in the draft treaty. If nothing was said in the peace treaty he was afraid that it would continue to be a source of controversy in the days ahead of them. He thought it was really only a question of the wisdom of settling a problem at this time. At Potsdam their principles had been in agreement that there would be no settlement of territorial questions until there was a peace treaty and that these questions would be settled then. If there had been an agreement and everyone was satisfied, it would be better to include it in the treaty and let everyone know that it was settled.

MOLOTOV said that if it were a question of Tsaribrod it would be necessary to summon the Yugoslav and Bulgarian representatives and have a discussion with them. Why should they do this when there was no controversy. Would they really have to deal with such small questions between neighbors? If these neighbors found it necessary in 10 years time to transfer a village from one country to another why should the Council question it. Did they not have enough serious problems to deal with?

BEVIN proposed that they adjourn the meeting.

The meeting was adjourned.

Council of Foreign Ministers Files : Lot M-88 : London CFM Documents

Memorandum by the United States Delegation to the Council of Foreign Ministers

C.F.M.(45) 40

London, 21 September, 1945.

SUGGESTED DIRECTIVE TO THE DEPUTIES FROM THE COUNCIL OF FOREIGN MINISTERS TO GOVERN THEM IN THE DRAFTING OF A TREATY OF PEACE WITH HUNGARY

I. TERRITORIAL PROVISIONS

1. The frontiers of Hungary shall be, except as modified below, those which existed prior to the Vienna Arbitration Award of November 2, 1938, and the Vienna Award of August 30, 1940.⁵³

2. The frontier with Roumania shall be, in general, the frontier existing in 1938, except that, as regards Transylvania determination regarding the whole or the greater part to go to Roumania shall be made after examining the respective claims of the two states.

II., III., IV. [These articles are the same, *mutatis mutandis*, as articles III, V, and VI in Suggested Directive for Bulgaria (C.F.M. (45) 35), page 263.]

V. REPARATIONS

The treaty should provide for the delivery to the U.S.S.R., Czechoslovakia and Yugoslavia of reparations in kind as stipulated in Article 12 of the Armistice. It should also provide for the determination of the compensation payable to other countries, and for completing the restoration of Allied property in Hungary to its owners or payment therefor, when the property is not returned in good order, as required by Article 13 of the Armistice.

The determination of the amounts payable by Hungary on account of claims for property in Hungary, and the supervisions of Hungary's execution of the treaty provisions with regard to reparations, restoration of Allied property and compensation for damage should be vested in an Allied Commission composed of representatives of the U.S.S.R., the United Kingdom, the United States, France, Czechoslovakia, and Yugoslavia.

The satisfaction of claims against Hungary on the part of countries other than the U.S.S.R., Czechoslovakia and Yugoslavia should be

⁵³ For text of the arbitral award by the Italian-German Commission regarding the cession of certain territories by Czechoslovakia to Hungary, made at Vienna, November 2, 1938, see Department of State, *Documents on German Foreign Policy, 1918-1945*, series D, vol. iv, p. 125. For text of the arbitral award by the Italian-German Commission regarding the transfer of northern Transylvania from Rumania to Hungary, made at Vienna on August 30, 1940, see *ibid.*, vol. x, p. 587.

made primarily from Hungarian assets abroad. Consequently, the Hungarian Government shall authorise each of the United Nations to take over and apply to their respective reparation claims such of the assets of the Hungarian Government (excluding diplomatic and consular premises) and of Hungarian nationals as are within the jurisdiction of the respective United Nations. Similarly, the Hungarian Government shall undertake to transfer to the United Nations, other than the U.S.S.R., Hungarian government and private property in the neutral countries. The Hungarian Government will undertake to indemnify, in accordance with Hungarian law, the Hungarian nationals whose property will thus have been requisitioned. Each of the United Nations will be free to allocate the amount received from Hungary to the indemnification of the State or its nationals, or the payment of debts, as it may determine, as a matter of national policy.

The Hungarian Government shall be required to recognise the transfer to the U.S.S.R., in accordance with paragraphs one and nine of the Potsdam declaration on German reparations,⁵⁴ of German assets in Hungary. (This transfer shall be made by the Allied Control Council in Germany).

VI. ECONOMIC AND FINANCIAL MATTERS

Provisions shall be included in the treaty implementing the United States proposal which was accepted in principle in Article XXI of the Potsdam Protocol,⁵⁵ including guarantees to Allied Nationals of access, on equal terms, to Hungarian trade, raw materials and industry. Similar provision should be made for equality of access to the use of Hungarian waterways and aviation facilities. These provisions might be limited in their duration for a period of five years.

International agreements for the control of the Danube should be confirmed by the treaty.

Whether provisions respecting other economic and financial relations should be included in the treaty should be left for later consideration. In view of the complexities raised and the large number of states involved, these might preferably be left to separate treaties.

VII. THE SOVEREIGN POSITION OF HUNGARY

The treaty should provide for the restoration of Hungarian Sovereignty and the nations party to the treaty should have no rights or controls within Hungary except as may be specifically provided in the treaty.

⁵⁴ For text of the Berlin Conference declaration on reparations from Germany, see Section IV of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, p. 1505.

⁵⁵ *Ibid.*, p. 1497.

740.00119 Council/9-2245

Memorandum of Conversation ⁵⁶

[LONDON,] September 22, 1945.

Participants:

The Secretary
Mr. Dunn
Mr. Bohlen

Mr. Molotov
Ambassador Gusev
Mr. Pavlov

Mr. Bevin
Sir Ronald Campbell
Mr. Dixon ⁵⁷
Mr. Payton-Smith

MR. MOLOTOV opened the meeting of the three Foreign Ministers by saying that he wished to propose a reorganization of the Council of Foreign Ministers on the grounds that the work was being retarded through an initial mistake which in effect had violated the decisions of the Berlin Conference, namely, in regard to the participation of France and China in the discussion of the peace treaties with Finland, Rumania, Bulgaria and Hungary. He read Point 3(b) of the Berlin Decision ⁵⁸ in support of his position. He proposed, therefore, that the Council reorganize its work so that in regard to these treaties only Finland [*the Soviet Union*], the United States and Great Britain would participate. He said the United States by common agreement between England and the Soviet Union would be invited to sit in on the Finnish discussions. On the other questions the Council could either sit with four or five members depending on the subject. He said he made this suggestion in order to conform with the Berlin Decisions and to expedite the work of the Council. It would avoid discussions as to what body the Ministers might refer consideration of these treaties.

MR. BEVIN said he did not think that France should be excluded from the consideration of the Balkans.

THE SECRETARY said that it was his recollection that in the discussion at Potsdam it had been generally understood that the countries not signatory to the Armistice terms would be allowed to sit in and participate in the discussion but would have no right to vote.

MR. BEVIN took the view that the opening number of the decision setting up the Council of five was the governing clause and that the interpretation of the British Government was that which Mr. Bevin had said was his recollection of the discussion, namely, that the Coun-

⁵⁶ Presumably prepared by Mr. Bohlen. The text here printed is from a hectographed copy.

The circumstances in which Foreign Commissar Molotov called off the meeting of the Council of Foreign Ministers scheduled for September 22, 11 a. m., and convoked a meeting of the Soviet, United States, and United Kingdom representatives at 11:30 a. m. instead are described in James F. Byrnes, *Speaking Frankly* (New York and London, Harper & Brothers Publishers, 1947), p. 102.

⁵⁷ Presumably Pierson J. Dixon, Private Secretary to Foreign Secretary Bevin.

⁵⁸ Reference here is presumably to paragraph 3(ii) of Section II, "Establishment of a Council of Foreign Ministers", of the Report of the Berlin Conference, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, p. 1500.

cil should sit as five but that France and China would have no vote in regard to the treaties with the member [*ex-enemy?*] satellites.

After prolonged discussion in which MR. MOLOTOV continued to adhere to the strict construction of the Potsdam Decision the meeting was adjourned for lunch without any conclusion whatsoever being reached.

When the three reconvened after lunch, MR. BEVIN said, with an endeavor to reach a compromise, he had a proposal to make. He said that the Council should continue to sit as five and so should the Deputies, but that on matters affecting these specific treaties special committees composed only of representatives of the members signatory to the armistice terms should be set up to do the drafting. Thus, in the case of Finland a subcommittee would consist of representatives of Great Britain and the Soviet Union. In the case of the Balkan countries and Hungary, of the United States, Great Britain and the Soviet Union.

MR. MOLOTOV refused this proposal as not being in accordance with the Berlin Decision. He said that he could not agree to continue to participate in the work of the Council if it continued as present on a basis which his Government considered a violation of the Berlin Decision. He admitted that he had participated in the original decisions of the conference and said that experience had shown that it was unsatisfactory and that that decision in fact was in violation of the Berlin Decisions.

THE SECRETARY pointed out that to reduce the composition of the Council for the consideration of these treaties would have a deplorable effect throughout the world. It was already being said that the Great Powers were arrogating to themselves the right of decision in these matters and leaving the smaller powers out. While it was true that a strict interpretation of the language of the Berlin Decision was in accordance with Mr. Molotov's suggestion, he felt that the Ministers should take cognizance of the sense of this decision as expressed in the discussion which preceded its adoption.

After considerable discussion in which both MR. BEVIN and MR. MOLOTOV adhered to their previous decision THE SECRETARY proposed that since this agreement had been made by the three heads of government at Potsdam it might be a good idea to put the matter up to them for decision. MR. MOLOTOV replied that he had no objection to that but that he might tell them in confidence that he had received some subsequent instructions from Marshal Stalin to make the proposal he had just made. He said that Marshal Stalin had called his attention to the fact that the early decision of the Conference had violated the Potsdam Protocol and that this matter should be corrected. He therefore felt that he knew the Marshal's views on this

subject and what his reply would do [*be?*]. He added that he had no objection to putting it before him again.

THE SECRETARY said he thought it would be a good idea and it was agreed to consult the heads of Government.

MR. BEVIN said that he would have to consult his Government before he could agree to any such proposal as that of Mr. Molotov which he felt would destroy the Council of Ministers and make it into a farce.

It was agreed that a meeting of the Council should be called for 5:30 that afternoon and that the question of satellite treaties would be postponed and the United States point on the agenda be taken up.

Council of Foreign Ministers Files: Lot M-88: CFM London Decisions

Record of Decisions of the Seventeenth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 22, 1945, 5:30 p. m.

C.F.M.(P) (45) 17th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen
Dr. N. Padelford

U.S.S.R.

M. Molotov (Chairman)
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand
M. Fouques Duparc

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. PROCEDURE

Further discussion of the Peace Treaties with Italy and the enemy Satellite States should be deferred until a later meeting. Meanwhile, the Council should proceed with the other items on the Agenda for the present Conference.

2. WITHDRAWAL OF TROOPS FROM IRAN

The Council took note of statements made by Mr. Bevin and M. Molotov that British and Soviet troops would, in accordance with the terms of the Tripartite Treaty between the U.K., Soviet and Iranian Governments,⁵⁹ be withdrawn from Iran within six months

⁵⁹ For text of the Treaty of Alliance between the United Kingdom, the Soviet Union, and Iran, signed at Tehran, January 29, 1942, see Department of State *Bulletin*, March 21, 1942, p. 249.

after the surrender of Japan on 2nd September, 1945. The Council agreed that in view of these statements the item should be removed from the Agenda of the present Conference.

3. EUROPEAN INLAND WATERWAYS

Further consideration of the proposal of the United States Delegation (C.F.M.(45) 1)⁶¹ was postponed in order to enable the alternative proposals of the Soviet Delegation (C.F.M.(45) 43)⁶² to be studied by the other Delegations.

4. AUSTRIA

The Deputies were instructed to study and submit to the Council an early report upon the recommendations received from the Allied Council for Austria and the memorandum to be circulated by the United Kingdom Delegation on the food supply arrangements to be made for Austria.

740.00119 Council/9-1145

United States Delegation Minutes of the Seventeenth Meeting of the Council of Foreign Ministers, London, September 22, 1945, 5:30 p. m.

Mr. Molotov in the Chair

MOLOTOV said there was a proposal that they take up the next item on the agenda, the removal of the Soviet and British troops from Iran.

BEVIN said this was on the agenda as a result of the Berlin Conference. As a result of conversations between the British and Soviet Governments agreement had been reached on complete withdrawal in accordance with the treaty six months after September 10 [2?], and he thought it unnecessary to trouble the Council with it.

MOLOTOV said the Soviet Delegation could make known that the Soviet Government had carried out the decision of the Berlin Conference, and Soviet troops had already withdrawn from Tehran. As to the withdrawal from all of Iran, the Soviet Union stood by and would continue to stand by the treaty between Great Britain, the Soviet Union and Iran. He supported Bevin's proposal.

BIDAULT said he had been informed that this morning's meeting had been postponed, a decision that was taken without consulting

⁶¹ September 12, "Draft Agreement Establishing Emergency Regime for European Inland Waterways", p. 132.

⁶² September 22, "Provisional Navigation Regime for European Inland Waterways", p. 324.

him. He wanted it understood by all his colleagues that in a conference of this kind, and in any future conference that in no case would a decision be taken without consulting the French Delegation whose good will was well known to everybody. He was very surprised that a decision like that taken had been decided without previous consultation. He did not know the motive of the delay. He knew the agenda adopted, and that it was agreed that there could be discussion on any item of that agenda. It would be helpful not to be confronted by a *fait accompli* by anyone. France did not want to be obstructive. A country such as France had its rights. He hoped the conference would continue with its agenda.

MOLOTOV said he wished to give some explanations. The initiative in postponing the meeting lay with the Soviet Delegation. The representatives of Britain and the United States had agreed to postponing that meeting. This was done in the morning, and the opinion of the French and Chinese Delegations was sought, and they agreed.

He now wished to say a few words on the reasons and merits of the question. The Soviet Delegation thought it necessary to restore the Berlin decision for the procedure of their discussions. They thought they had violated the Berlin decisions by not following paragraph 3(b) of the Berlin decisions,⁶³ and had adopted a new procedure. The Soviet Delegation believed the new procedure was not helpful and caused delays. The drawback of the procedure they had adopted was that they departed from the procedure established by the Berlin Conference which provided for participation of the Foreign Ministers on an equal basis. The procedure they adopted gave some of the Ministers full rights in the discussion of certain questions, and others did not have full rights or restricted rights in the discussion of certain questions. An end should be put to this by strictly following the Berlin decision. The problem for them was to restore the decision of the Berlin Conference, and the purpose was to speed up the work of the Conference.

BEVIN said that he was not going to try to get into a discussion at this stage, but there was one point—Molotov had used the word “we”. He thought they should go on record that he meant the Soviet Delegation. He thought their procedure was right.

MOLOTOV said he meant only the Soviet Delegation.

BIDAULT asked whether that meant that they go back on the decisions taken by this conference regarding the treaties with Finland, Hungary, Rumania and Bulgaria. What did they decide, or did they decide nothing?

⁶³ Apparently reference is to the Berlin Conference decision on the establishment of a Council of Foreign Ministers, *Conference of Berlin (Potsdam)*, vol. II, p. 1500.

BYRNES said that his understanding was that there was no decision at all, that the matter was passed over with the statement that we go through the agenda and consider the matter of the peace treaties as they come.

This was agreed to.

INTERNATIONAL WATERWAYS

MOLOTOV stated that the question of international waterways had been a subject of discussion at the Berlin Conference under the heading, "International Internal [*Inland*] Waterways", and the following decision had been adopted at the Conference. The Conference examined the proposal by the American Delegation regarding this question ⁶⁴ and agreed to defer it to the consideration of the forthcoming conference of the Council of Ministers for Foreign Affairs in London. The question arose, "What is an international waterway?" Where could the definition be found? Up to now they had had no definition on this, and the question was what were they really in effect discussing. The initiative in raising this question lay with the American Delegation. Perhaps the American Delegation could make clear what international waterways were.

BYRNES replied that the paper which the United States had submitted ⁶⁵ set forth the waterways which for the purpose of this emergency proposal would be considered international waterways. He said that at the conference in Potsdam the matter was presented by the President, who stated that he had great interest in having something done about this matter. Before the war these waterways supported a traffic in excess of 150 million tons of shipping a year. Nearly four months had passed since the end of hostilities, yet only on one of these waterways, the Kiel Canal, was through traffic possible today. The United States had cleared its portion of the Rhine so that traffic could move between Karlsruhe and Coblenz, and it was understood that presently a narrow channel on the section between Duisburg and Rotterdam, but on other sections of the river great effort would be needed to afford a safe channel. He understood that navigation is blocked on the Elbe and the Oder so that no goods could pass into or out of Czechoslovakia and Polish territory by this route. Despite the great efforts made by the Soviet Government to clear the Danube of mines, navigation was not yet open on that great waterway. If these European rivers could be opened before freez-

⁶⁴ For text of the Draft Proposal by the American delegation, dated July 25, 1945, see *Conference of Berlin (Potsdam)*, vol. II, p. 656. For documentation regarding the consideration of the European inland waterways question at the Berlin Conference, see *ibid.*, vol. I, pp. 321-332, and *ibid.*, vol. II, p. 1612, index entries under European questions, general: Inland waterways.

⁶⁵ C.F.M.(45) 1, September 12, "Draft Agreement Establishing Emergency Regime for European Inland Waterways", p. 132.

ing this winter, and shipping started on a large scale, much could be done to alleviate present conditions. Fuel and relief supplies from the United States could reach the needy in this area via the Black Sea, North Sea, and Baltic ports.

The United States was ready to cooperate in this undertaking and would direct its engineer forces in Europe to work together with others in restoring navigation facilities as quickly as possible. We would be glad to make arrangements for making shipping located in the zone of control of the United States available for use which may not be required for military needs, if the commissions dealt with by this agreement can be established.

There were quantities of fertilizer which were reported to be in the United States' area. We could then take steps to move that fertilizer to agricultural areas in need of such material if free navigation could be restored on these rivers. Because of the bridges being down and the roads blocked the transportation on land has been in a chaotic condition. This emergency proposal would enable us to use the waterways to great advantage toward giving relief we all wanted to see given to the people. It was only a temporary proposal that we were offering, hoping that we could agree upon a project of that kind. If we worked together and cooperated, we could clear out these rivers. We could put traffic back on the rivers. Then, three months from this time, as was provided in the last article, we could hold a conference to determine what should be done about a permanent regime.

Molotov said the reason why he had put this question was that he had not formed a clear idea of the substance by the material submitted by the American Delegation. He had before him a document presented by the American Delegation on the 23rd of July.⁶⁶ This document contained a reference to such waterways as cross two or more states in addition to the Danube and the Rhine. He had another document from the American Delegation which was submitted for consideration at the Berlin Conference on the 26th of July.⁶⁷ It was also called a document regarding international inland waterways. This document dealt with the Danube, the Rhine, and in addition to these two rivers, the Kiel Canal and the Black Sea Straits. They could see that this document differed from the previous American document in that it named also the Kiel Canal and the Black Sea Straits. Now they had received a new document from the American Delegation with the title, "Agreement to Establish an Emergency Regime for European Inland Waterways". This document enu-

⁶⁶ For text of this proposal, see *Conference of Berlin (Potsdam)*, vol. II, p. 654.

⁶⁷ For text of this proposal, which bears the date of July 25, 1945, see *ibid.*, p. 656.

merated such rivers as the Rhine, Scheldt, Elbe, Oder, Danube, and the Kiel Canal. As they could see, this third document of the American Delegation differed from the two original documents. Although it did not mention the Black Sea Straits, it mentioned instead the Elbe and the Oder. He was speaking of this because he wanted to ask that they make clear what they were discussing, and what they were called upon to decide. They would clearly see that the view of those who initiated this question had undergone changes on several occasions, and it might well happen that this view would undergo another change tomorrow, and they should therefore agree what is in question. Did they have in mind international inland waterways as the question was raised by the American Delegation at the Berlin Conference? Let them define what they meant by this, and let them enumerate these international inland waterways and what they had in mind as to which straits and canals should be regarded as international inland waterways. This had not been done so far, and what had been done was that the view of the Americans instead had undergone changes on several occasions. If they put this question in order, he thought it would be easier for them to reach an agreement, but so far they were not clear as to what was meant by the Americans and what was meant by international waterways.

BYRNES said that of course his friend was right in saying that at Potsdam reference had been made among other waterways to the Straits. His friend remembered well, however, that there was an agreement there that the matter of the Straits would be taken up separately by each of the Governments with the Turkish Government. And, of course, when that was done they did not wish to include mention of the Straits in this document. They had to stand by that decision, striking the matter of the Straits out, and he knew Molotov would not object to that.

It was true also that there was language trying to define what were the waterways—the language that his good friend had just read, but it was apparent that if they tried to establish a definition, it would follow then that the discussion would cause endless delays. So instead of trying to define the waterways, he thought this time he would name the waterways, then they would not have to bother about a definition—then they would not have to worry whether this or that river came under it because he had named the rivers. It was true that the President's proposals at Potsdam contemplated the declaration of principle for a permanent solution of this problem, but because Mr. Molotov did not seem to favor that, and in the hope that by making it temporary they would get the work started, he had proposed a temporary arrangement. He asked his friend to accept this proposal. They could take the paper and see if they could not change

it that day or the next to suit all, and let them get to work on the rivers. The United States had no selfish interest in it. It only wanted to put its engineers to work and help restore traffic on these rivers.

MOLOTOV said it would still be interesting to know what international inland waterways were. This new document used this term but with restrictions. Only international waterways in Europe were mentioned. His understanding of the new document was that the Suez, the Mississippi, and the Loire would not fall within the category of international inland waterways. His understanding of the present draft was that certain temporary measures were involved.

BYRNES said that was exactly correct.

MOLOTOV said this meant that they passed over the question of permanent international regimes on waterways, and that the question of permanent regimes could wait. He understood that only those countries where war had been waged recently, and where occupational troops were located were involved.

BYRNES replied that the rivers were named in the document.

MOLOTOV said the fact was that different rivers were named in different documents. In view of this he wished to submit a Soviet draft, which he proceeded to read.⁶⁸

MOLOTOV said the Soviet proposal envisaged a short period, that of the occupation, prior to the conclusion of peace treaties with the satellites and as long as there was a control council in Germany. When the occupation came to an end, a permanent regime should be established and the temporary arrangement abolished. Then there would be no Allied troops in Europe. From the Soviet point of view a permanent regime could not be established without the participation of the riparian states. The temporary regime would be valid only for the period of occupation when final authority was vested in the commanders-in-chief. Any regime other than one under the commanders-in-chief who had control of the waterways, would lead to duality and friction, and it was obvious that any other regime was impracticable for the period of occupation.

BEVIN said that as this paper had only just been circulated, and as it was proposed that the regime operate under the commanders-in-chief, which in certain cases would exclude Great Britain altogether, he would like time to study the paper.

This was agreed.

⁶⁸ C.F.M.(45) 43, September 22, "Provisional Navigation Regime for European Inland Waterways", p. 324.

AUSTRIA

MOLOTOV said the Soviet Delegation thought in view of the report ⁶⁹ prepared by their representatives, the question should be referred to the Deputies.

BEVIN inquired if it were proposed that they deal with both items on Austria at this time.

MOLOTOV said he had referred only to the reply from their representatives in Austria.

BEVIN said he understood the proposal to be that this reply was to be referred to the Deputies and report during the present session of the Council.

BYRNES inquired what the Deputies would be directed to do.

MOLOTOV observed that the initiative in this matter had not come from the Soviet Delegation.

BEVIN pointed out that there were some things in this report upon which their representatives were agreed and some upon which they were not in agreement. On such a question as the amount of calories that should be fixed for the country, the members of the Allied Council differed. A similar question was that as to whether barley should be used for cattle or exclusively for human consumption. Then there was the question of the natural area from which Austria should get her food. Strong representations had been made in London this week in regard to starvation in Austria. This week or next there would be a very difficult situation to face. He therefore thought they could agree that the Deputies look at the question to see if they could make a recommendation, and see whether developments could be brought about in the area outside Austria to avoid this starvation. In Austria they had reached a temporary agreement which was to run until December 30. The Foreign Ministers would have to take a decision. He was having a paper [readied?] and he hoped the Council agreed that it could go straight to the Deputies.⁷⁰

MOLOTOV wished to draw attention to paragraph 5 of the accord which had been reached in Vienna, and which he proceeded to read. He said this seemed to be another reason to expedite the extension of the Provisional Austrian Government to all of Austria. As the Commanders-in-Chief had said, this would not settle the question, but it would be helpful, and he thought they should do everything possible to facilitate supplies for Austria.

⁶⁹ The agreed recommendations of the Allied Council for Austria to the Council of Foreign Ministers regarding the question of long-term supply arrangements for Austria, which were reached at a meeting of the Allied Council on September 17, 1945, are quoted in telegram PV 7519, September 18, from the U.S. Military Commissioner for Austria to the Joint Chiefs of Staff, vol. III, p. 598. These recommendations were presented to the Council of Foreign Ministers by the British delegation in memorandum C.F.M. (45) 42, September 22, p. 323.

⁷⁰ The paper presumably under reference is C.F.M. (45) 42, p. 323.

BYRNES had no objection to the action proposed by the United Kingdom Delegation to send the question to the Deputies. He had doubts as to what they could do, but in view of the troubled conditions in Austria, he hoped they could get together the next day and collect any facts on which a recommendation could be based. He agreed, but on the understanding that the Deputies report promptly.

BEVIN said that in regard to the Austrian Provisional Government, Mr. Molotov knew that he had written him about this matter and had received a reply which he wished to have time to consider.

BIDAULT pointed out that a number of technical problems were involved such as (1) what was a suitable ration, (2) the obtaining of supplies, and (3) the origin of supplies. He agreed to asking the Deputies for a report. In regard to the Central Austrian Government, all countries had declared that Austria should be free, and therefore they should arrive at a common accord in order that there might be a central Austrian Government. He thought this could easily be done.

BEVIN thought that with regard to the question of the central Austrian Government, it would be better if he studied the matter and reported at the next meeting.

The meeting adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

*Memorandum by the United Kingdom Delegation to the Council
of Foreign Ministers*

C.F.M.(45) 42

LONDON, 22 September, 1945.

AUSTRIAN FOOD SUPPLIES

[Here follow recommendations of the Allied Control Council for Austria quoted in telegram PV 7519, September 18, 1945, from the U.S. Military Commissioner for Austria to the Joint Chiefs of Staff, volume III, page 598, and a discussion of the food situation in Austria.]

To sum up, His Majesty's Government propose that:

(1) The present Conference should agree in principle on the desirability of Austrian supplies being drawn from the normal sources viz. the Danubian area.

(2) The Governments of the United Kingdom, the United States of America, the Soviet Union and France should forthwith appoint a joint Commission, with terms of reference as suggested in Annex IV, to report to them on the present position as regards food production in Austria, Hungary, Bulgaria, Czechoslovakia and Yugoslavia and on the best means of increasing production and distribution so as to meet the requirements not only of those countries themselves

but also of other parts of Europe. The Governments of Czechoslovakia and Yugoslavia should be invited to give their consent and all possible assistance to the proposed Commission, and the Allied Control authorities in the other countries mentioned should be instructed to give it all possible assistance.

(3) Pending the report of the proposed Commission, 75% of Austria's approved food imports should be drawn from other countries in the Danubian area and 25% from the Western hemisphere.

(4) A technical sub-committee should immediately be set up in London and instructed to report to the Council of Foreign Ministers before the end of their present session regarding the standard of consumption to be aimed at in Austria.

(5) Food imports should, so far as possible, be financed in acceptable currencies from the proceeds of Austrian exports, both past and future, exception being made of German assets exported by the Soviet Government from Eastern Austria in accordance with the Potsdam Agreement. Payment should similarly be made, to the extent necessary to cover the cost of imports, for material (other than weapons of war and purely military equipment) seized by the Allied armies in the initial stages of the occupation and removed from Austria.

(6) Imports which cannot be paid for in these ways and which come from countries in which U.N.R.R.A. can procure should be financed by U.N.R.R.A. from the date of their assumption of financial responsibility for supplies to Austria.

(7) The Conference should take note of the Allied Council's recommendations and in particular of their recommendation that the early establishment of a central Austrian governmental authority will aid the long-range food situation but not by any means solve it.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the Soviet Union Delegation to the Council of Foreign Ministers

C.F.M.(45) 43

LONDON, 22 September, 1945.

PROVISIONAL NAVIGATION REGIME FOR EUROPEAN INLAND WATERWAYS

In view of the necessity for increasing traffic along the European Inland Waterways, the Governments of the U.S.S.R., the United Kingdom, the U.S.A. and France, being Governments charged with the responsibility for occupation and control of enemy states in Europe, have agreed to the following:—

ON THE RIVERS RHINE, ELBE, ODER AND DANUBE

1. The right to navigate the rivers Rhine, Elbe, Oder and Danube for the duration of the regime of occupation shall be enjoyed by the

merchant ships of the above-mentioned states and all the riparian states.

2. The securing of facilities for shipping for the duration of the occupation shall be carried out under the direction and control of the respective Allied Commanders-in-Chief.

ON THE KIEL CANAL

3. The securing of facilities for shipping along the Kiel Canal shall be carried out under the direction of the Control Council for Germany which ought to consider this matter in the near future.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 45

LONDON, 22 September, 1945.

REPARATIONS FROM GERMANY

1. The United Kingdom Delegation offer the following observations upon the Soviet Delegation's memorandum circulated to the Council as C.F.M.(45) 15.⁷¹

2. The United Kingdom Delegation agree that the Allied Commission on Reparation should be transferred from Moscow to Berlin on the understanding that the function of the Allied Commission will be to advise the Control Council regarding reparation policies as requested by the Control Council, or on the Commission's own initiative. In the light of reparation policies laid down in the Potsdam Protocol or by the Allied Commission, it will be for the Control Council to determine the amount and character of capital industrial equipment to be removed from the various industries.

3. The United Kingdom Delegation do not agree that it should be decided that such determination should be completed not later than the 1st December, 1945. This would be impossible owing to the complexity and magnitude of the task. Paragraph 5 of Section IV of the Potsdam Protocol ⁷² says that the amount of equipment to be removed from the Western Zones on account of reparations must be determined "within six months from now at the latest", i.e., by the 7th February, 1946. There should be no alteration in this decision.

4. The decision on the equipment which is to be handed over to the Soviet Union in execution of Section IV of the decisions of the Berlin

⁷¹ September 14, p. 175.

⁷² Apparently reference is to section IV, paragraph 5, of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, p. 1506.

Conference regarding reparations from Germany, can only be made after the amount and character of capital industrial equipment available for reparations has been determined.

5. The United Kingdom Delegation do not agree that the Control Council should be asked to approve not later than the 15th October, 1945 a list of enterprises, the equipment from which is to be surrendered as advance deliveries in accordance with paragraph 7 of Section IV of the Potsdam Protocol. The Potsdam Protocol provides that removals of industrial capital equipment shall begin as soon as possible. This decision should stand, but it is not practicable to lay down a precise date. It must be recognised that the removal and transport of capital industrial equipment will entail considerable difficulties for some time to come.

6. The United Kingdom Delegation do not agree that the Control Council should be invited to despatch immediately to the Western Zones of Germany mixed commissions and specialists. The United Kingdom Delegation consider that the Soviet Government should submit data on removals of capital industrial equipment from the Eastern Zone, and if this is agreed to, the United Kingdom Government will produce a list of equipment available for reparations and for advance deliveries from the British Zone substantiated with full factual data. When the United Kingdom Government have presented these lists they will be prepared to receive parties of specialists representing the interested countries, to enable a decision to be taken as regards allocation of what is available, on condition that the Soviet Government will, at the same time, allow specialists to enter into Eastern Germany. The United Kingdom Government will also be glad to receive suitable inspectors when the time for packing and despatch arrives.

Council of Foreign Ministers Files: Lot M-SS: CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 46

LONDON, 22 September, 1945.

REPATRIATION OF SOVIET NATIONALS

The Soviet Delegation to the Council of Foreign Ministers have circulated a Memorandum (C.F.M.(45) 10)⁷³ on the acceleration of

⁷³ September 13, p. 151.

the repatriation of Soviet nationals. In an annex to the Memorandum they make two specific complaints about the treatment of Soviet nationals in the British zones in Germany and Italy.

His Majesty's Government consider that the Council of Foreign Ministers is not a suitable form [*forum?*] in which to raise complaints and enquiries on points of detail. They consider that such complaints and enquiries should be dealt with if possible directly between the Soviet Repatriation Mission and the competent British authorities, or, if not disposed of in this way, through the diplomatic channel.

As regards the two specific complaints made in the Memorandum:—

a) The first will shortly be the subject of a reply from the Foreign Office to the Soviet Embassy

b) As to the second, the Soviet Embassy have been informed, in communications dated the 3rd August and the 13th September, that more detailed information is required from the Soviet authorities before it is possible to institute the necessary enquiries.

The Soviet Memorandum refers to the failure to repatriate persons from the Baltic States, Western Ukraine and Western Byelorussia "in accordance with the Yalta Agreement". His Majesty's Government do not recognise the Soviet Government's claim that these persons are Soviet citizens, and therefore do not regard them as liable to compulsory repatriation under the Yalta Agreement.

His Majesty's Government will return to their homes persons from these territories who express a wish to return; but persons who declare themselves unwilling to return will, as hitherto, be kept in camps to which the Soviet Repatriation Authorities will not be allowed access.

As regards points 1 and 2 of the resolution proposed in the Soviet Memorandum, the Soviet Repatriation Authorities will, of course, continue to have full information about, and unimpeded access to, camps and points of concentration of Soviet citizens (as recognised by His Majesty's Government) in accordance with the terms of the Yalta Agreement. They will also be allowed to interview, outside the precincts of the camp, persons from other camps about whose citizenship there is, in the view of His Majesty's Government, some doubt.

As regards point 3 of the resolution, liberated persons who have declared their Soviet nationality or who have expressed their willingness to return home via the Union of Soviet Socialist Republics have not been kept together with, or under guard of, German troops except:—

a) In the very early stages, so long as it was absolutely necessary for their own security and that of other Allied personnel; as for instance

in Norway where, owing to the lack of allied troops in the country at the time of the German surrender, it was essential to retain for a few days the existing organisation of German camps in order to prevent the ex-prisoners of war therein from dispersing beyond the range of relief supplies and protection.

b) Occasionally in hospitals, where in the first months after D. Day ⁷⁴ accommodation was limited, and British and other Allied sick and **wounded** had temporarily to share what accommodation there was with German sick and wounded.

As regards point 4 of the resolution, organised political activities directed against the Union of Soviet Socialist Republics or any other Allied nation are not permitted in the British zones. No organised anti-allied political bodies have been or will be tolerated.

In view of the foregoing, His Majesty's Government do not consider that there is any ground for the adoption of the resolution contained in the Memorandum circulated by the Soviet Delegation.

740.00119 Council/9-2245 : Telegram

President Truman to the Chairman of the Council of People's Commissars of the Soviet Union (Stalin) ⁷⁵

[WASHINGTON, September 22, 1945.]

[346.] I am informed that Mr. Molotov is considering withdrawing from the Council of Foreign Ministers in London because of difficulty in reaching an agreement as to the participation of France and China in discussions of the Balkan situation.

I urgently request that you communicate with Mr. Molotov telling him that because of the bad effect it would have on world peace he should not permit the Council to be broken up.

⁷⁴ June 6, 1944, the date of the Allied invasion of France.

⁷⁵ Transmitted to the Soviet Government in a letter of September 22, 1945, from Edward Page, Jr., First Secretary of Embassy in the Soviet Union, to Assistant People's Commissar for Foreign Affairs Vyshinsky.

The manner in which this message was prepared in trans-Atlantic consultation between the Secretary of State and Adm. William D. Leahy, Chief of Staff to the Commander in Chief, is described in Byrnes, *Speaking Frankly*, p. 103, and in Harry S. Truman, *Memoirs*, vol. 1: *Year of Decisions* (Garden City, N.Y., Doubleday & Company, Inc., 1955), p. 517. In White House message No. 347, September 22, Admiral Leahy informed the Secretary that the President had sent this message to Stalin.

740.00119 Council/3-2248 : Telegram

*President Truman to the Chairman of the Council of People's Commissars of the Soviet Union (Stalin)*⁷⁶

[WASHINGTON,] 22 September, 1945.

348. Referring to my message No. 346.⁷⁷ The Secretary of State has fully informed me of the difficulty encountered at the Council of Foreign Ministers.

I agree that under a strict interpretation of the language of the Potsdam Agreement, France and China have not the right to participate in the consideration of Peace treaties unless they are signatories to the surrender terms or unless they are invited under paragraph 3(2) of the Potsdam agreement which provides that members of the Council other than the signatories may by agreement be invited to participate when matters directly concerning them are under discussion.

It is my recollection that at the conference table at Potsdam it was agreed during the discussion that members not signatory could be present and participate in the discussion but could not vote. It seems the first day the Council met, it was unanimously agreed that members not signatories could participate in the discussion, but could not vote. If we now change this rule and deny France and China because they are not signatories to the surrender the right even to discuss a matter in which they state they are interested, I fear it will create a bad impression. It will be charged that the three big Powers are denying other members of the Council an opportunity even to present their views.

Can't we agree to regard the unanimous action of the Council on the opening day as an invitation to France and China to participate under the Potsdam Agreement? This is too small a matter to disrupt the work of the Council and delay progress towards peace and better understanding.

TRUMAN

⁷⁶ According to a memorandum prepared in the White House on March 22, 1948, this message was drafted in London, under the direction of the Secretary of State; it was forwarded from London to the President on September 22 with a request from the Secretary that it be sent by the President to Stalin, and it was sent from the White House the same day as message No. 348. The message was delivered to the Soviet Foreign Commissariat in a letter of September 22 from Page to Vyshinsky. In a message from the White House late in the evening of September 22, the Secretary of State was informed that the message was sent to Stalin as he had requested. According to Truman, *Year of Decisions*, p. 516, this message was prepared during a trans-Atlantic teletype conversation between the Secretary of State and Admiral Leahy.

⁷⁷ *Supra*.

740.00119 Council/9-2245

Memorandum by Mr. Benjamin V. Cohen of a Conversation Between the Secretary of State and the French Minister for Foreign Affairs (Bidault), at London, September 22, 1945, 10 p. m.

Secretary Byrnes explained briefly to M. Bidault that the delays in the day's session of the Council had been due to Mr. Molotov's raising the question that the procedure of the Council violated the provisions of the Potsdam Agreement in allowing the members not party to the armistice to participate in the consideration of the treaties. Mr. Molotov did not agree with Mr. Byrnes that the understanding at Potsdam was that they were to participate in the discussion but not vote. He admitted that he had agreed to this procedure at the first day's meeting of the Council but he could no longer accept this procedure. Protracted arguments by both Mr. Byrnes and Mr. Bevin had proved unavailing. Finally, it was agreed that items on the agenda not relating to the treaties should be taken up and in the meanwhile the heads of state should be consulted as to their understanding of the Potsdam agreement. Mr. Molotov stated that Marshal Stalin had already conveyed his understanding and, in fact, instructed him to cease to violate the Potsdam Agreement.

Mr. Byrnes told M. Bidault that at his suggestion the President had already wired Marshal Stalin asking him to agree to the procedure adopted by the Council.

M. Bidault expressed his indignation that the position of France should be questioned and stated that he would leave the Conference and not return if France was denied the right to discuss issues relating to the peace of Europe.

Mr. Byrnes asked M. Bidault not to take any action without consulting him further. Mr. Byrnes hoped that the President's telegram would have some effect on Marshal Stalin. In any event, none of us should act hastily without full considerations of the consequences. To this M. Bidault agreed and promised not to act without speaking with Mr. Byrnes.

M. Bidault stated that he had dined with Mr. Molotov the previous evening and he had not indicated in his [any?] way his objection to the procedure of the Council. He had upbraided M. Bidault for not supporting him, indicating that the other members were usually lined up against him.

Mr. Byrnes indicated that he thought it quite possible that Mr. Molotov used the matter of procedure as only an excuse for breaking up the Conference because he could not have his own way.

There was some further discussion about the need of avoiding hasty action in the event of crises and the possibility of France working

with us on the Italian treaty even if there was not agreement on the procedure for the Balkan countries, as we ourselves might not be able to sign the Balkan treaties as we had not been able to recognize the Balkan governments.

740.00119 Council/9-2345 : Telegram

*The Chairman of the Council of People's Commissars of the Soviet Union (Stalin) to President Truman*⁷⁸

[Moscow, 22 September, 1945.]

I received your message.⁷⁹ I inquired Molotov, but have not yet his answer. I became acquainted with the matter and came to a conclusion that if the question relates to the participation of France and China in the settlement of the Balkan affairs, these governments, according to the exact meaning of the decisions of the Berlin Conference, must not be invited to participate.

740.00119 Council/9-2345 : Telegram

The British Prime Minister (Attlee) to President Truman

[LONDON,] September 23, 1945.

11. Following is repetition of message from the Prime Minister to Marshal Stalin dated September 23rd.⁸⁰

A difference of opinion arose yesterday over the composition of the Council of Foreign Ministers for the purpose of its work on the preparation of Peace Treaties. Discussion centred round the interpretation of the Berlin protocol.

Mr. Bevin maintained that the overriding provision was the decision to establish the Council composed of the Foreign Ministers of the United Kingdom, U.S.S.R., China, France and the United States to do the necessary preparatory work for the peace settlements (paragraphs A and A(1) of Part 1 of the Protocol of the Berlin Conference), and that the Council as a whole is thus responsible for discharging all the tasks remitted to it. He therefore maintained that the following decision reached by the Council on September 11th is correct:—

⁷⁸ The text of this message was transmitted to the Secretary of State in White House message No. 350, September 23, from Admiral Leahy.

⁷⁹ Reference is to the President's message No. 346 of September 22, to Stalin, p. 328.

⁸⁰ Prime Minister Attlee's immediately preceding telegram to the President, No. 10 of September 23, read as follows: "My immediately following telegram contains repetition of message to Marshal Stalin dated September 23rd regarding the difference of opinion over the composition of the Council of Foreign Ministers. I much hope that you find yourself in agreement with the views expressed in that message." (740.00119 Council/9-2345)

"It was agreed that all five members of the Council should have the right to attend all meetings and take part in all discussions, but that in matters concerning peace settlements members whose Governments had not been signatories to the relevant terms of surrender should not be entitled to vote."

I also share this view. I have spoken to Mr. Eden ⁸¹ who tells me that his understanding at the Potsdam Conference was that the Council was free to arrange its own procedure and that it was not bound within the limits of the exact terms of the Potsdam agreement.

M. Molotov considers that the decision of the Council on September 11th was a violation of the Potsdam agreement, that it should be rescinded and that in future the Council, for the work on the Peace Treaties, should be composed only of the Foreign Ministers of the States signatory to the armistices and that whilst the United States would be added in the case of Finland, China would be excluded altogether and France from all the Treaties except the Italian. This does not accord with my understanding of the spirit and intention of the decision arrived at in Potsdam.

The decision of the Council on September 11th was agreed to by the five Ministers present, including M. Molotov, and it accords with the understanding held in good faith by the United States and British Foreign Secretaries. It seems to me beyond question that the Council was entitled to adopt the above resolution (see paragraph A(4) (II) Part 1 of the Berlin protocol). Moreover, it cannot be held to depart in any way from the Potsdam decision as the restriction of vote means in effect that the Council will be composed for taking decisions as proposed. Since this question has been referred to me I should like to touch on a broader aspect of the matter. The decision of September 11th was adopted unanimously after discussion and I should view with grave misgiving the institution of a precedent for calling in question decisions so taken and seeking to reverse them and therefore rejecting the conclusion arrived at by the British Foreign Minister acting in faithful concert with the other Foreign Ministers. That I should fear would change altogether in an adverse sense the nature and indeed the value of the Council of Foreign Ministers and introduce an element of confusion into their proceedings. Indeed I doubt whether it would be possible to gain unanimous consent of the Council to a reversal of its earlier decision and any attempt to do so would clearly cause grave offence to France and China and be completely misunderstood here by the public and Parliament to whom we re-

⁸¹ Anthony Eden, British Secretary of State for Foreign Affairs until July 28, 1945.

ported in good faith that the Council would act as a Council of five, a statement which was received with a sense of relief in this country. M. Molotov argues that under his proposals the work of the Council would be greatly accelerated. Even if this were so, which is by no means proved by the course of the discussions, it would certainly not counter-balance the damage to harmonious collaboration caused by the offence given. To my mind the success of the present Conference and indeed the whole future of the Council and confidence in a just peace is at stake. Therefore I earnestly hope that you will agree to authorise your Delegation to adhere to the decision taken on September 11th. After all it is peace we are endeavouring to establish, which is more important than procedure.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 48

LONDON, 23 September, 1945.

AUSTRIAN GOVERNMENT

It is suggested that the Council of Foreign Ministers should agree on the following resolution :

The Council of Foreign Ministers agrees that there should be established at the earliest possible date a sovereign Government for Austria.

In accordance with the decision of the Potsdam Conference the extension of the authority of the Austrian Provisional Government to all of Austria has been examined. The Council of Foreign Ministers takes note of the decision reached by the Allied Council in Vienna on September 20th in the following terms :

"The Allied Council having received a memorandum from Dr. Renner approve his proposal to summon a Conference of Provincial representatives. The Conference should be representative of all the Provinces and of all three leading parties. The object of the Conference is to consider with complete freedom what if any broadening or reorganisation of the Provisional Government may be required. The result of the deliberations of the Conference will be considered by the Allied Council. The Allied Council agree that each occupying Power should give facilities to such representatives to proceed to Vienna".

In view of the fact that agreement on these lines has already been reached by the Allied Council the Council of Foreign Ministers consider it unnecessary to discuss the subject any further. They recom-

mend however that the proposed conference of provincial delegates should take place at the earliest possible moment. They further recommend that elections for a Constituent Assembly should be held as soon as electoral registers can be prepared and in any case within six months from now.

740.00119 Council/9-2345 : Telegram

The Ambassador in the United Kingdom (Winant) to the Acting Secretary of State

LONDON, September 23, 1945—11 p. m.
[Received September 23—8:16 p. m.]

9869. For Acheson from Secretary Byrnes. Reference your 8253, Sept 20 (Secdel 87, Sept 20). You can inform Greek Ambassador that no Govt. had a representative participating in the discussions as to Italian treaty except the Govts represented on the Council. A hearing was granted to Govts that claim an interest in the settlement of the frontier between Italy and Yugoslavia but these witnesses were not permitted to participate in any discussion of the Council. Greece will be invited to file a statement in writing setting forth any views it may have as to all parts of the Italian treaty. [Byrnes]

WINANT

740.00119 Council/9-2445 : Telegram

*The Chairman of the Council of People's Commissars of the Soviet Union (Stalin) to President Truman*⁸²

[Moscow,] September 24, 1945.

I have received your second message regarding the Council of Ministers.⁸³ I have received today a reply from Mr. V. M. Molotov who informed me that he is acting in accordance with the decision of the Berlin Conference and considers that this decision should not be violated. On my part, I have to remind you that at the Berlin Conference neither a decision was adopted nor was it agreed among us that the members of the Council who did not sign the terms of surrender could participate in the discussions but could not vote. I consider that the position of Molotov to adhere strictly to the decision of the Berlin Conference cannot make a bad impression and should not offend anybody.

⁸² The text of this message was transmitted to the Secretary of State by President Truman in White House message No. 351, September 24; the President also asked the Secretary to inform Prime Minister Attlee that he was in agreement with Attlee's message No. 11, September 23, p. 331.

⁸³ Reference is to the President's message No. 348 of September 22, to Stalin, p. 329.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Eighteenth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 24, 1945, 11 a. m.

C.F.M.(P) (45) 18th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih-Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Victor Hoo	
M. Fouques Duparc	Dr. Hollington Tong	
M. Alphand	Mr. Yang Yun Chu	

1. JAPAN: ALLIED CONTROL MACHINERY

At a later meeting consideration should be resumed of the question whether the Soviet Memorandum (C.F.M.(45) 49⁸⁴) should be added to the Agenda for the present Conference.

2. AUSTRIA: FOOD SUPPLIES

The Deputies were directed—

(1) To instruct the Allied Control Commissions in Bulgaria, Hungary and Roumania to make available to the Allied Council for Austria full information regarding the food situation in each of these countries and the possibility of making food supplies available to Austria from these countries.

2. To arrange for the Governments of Czechoslovakia and Yugoslavia to be invited to provide similar information to the Allied Council for Austria regarding the possibility of food supplies being sent from those countries to Austria.

(3) To frame a directive to the Allied Council for Austria authorising them to examine the long-term arrangements for food supplies to Austria on the basis of obtaining, in the light of the replies received to (1) and (2) above, the maximum supplies possible, not only from within Austria, but from the neighbouring countries of Bulgaria, Hungary, Roumania, Czechoslovakia and Yugoslavia. The Allied Council to report the result of this examination to the Council of Foreign Ministers together with such further information on the supply position in Austria as they may deem useful.

⁸⁴ September 24, "Allied Control Machinery in Japan", p. 357.

(4) To consider means of meeting the immediate problem of securing emergency supplies of food for Austria after the termination of certain existing arrangements for supplies from Allied sources at the end of October, 1945.

3. AUSTRIA: CENTRAL GOVERNMENT

Consideration of the proposal of the United Kingdom Delegation in C.F.M.(45) 48⁸⁵ was deferred.

4. EUROPEAN INLAND WATERWAYS

An exchange of views took place on the proposals of the United States and Soviet Delegations. Further consideration was deferred until the next meeting.

740.00119 Council/9-1145

United States Delegation Minutes of the Eighteenth Meeting of the Council of Foreign Ministers, London, September 24, 1945, 11 a. m.

Mr. Wang in the chair

WANG said at the last meeting they had discussed two questions concerning Austria, one of which had been referred to the Deputies and he would now ask the Chairman of the Deputies meeting to report.

MOLOTOV said he wished to make a statement which he proceeded to read:

[Here follows the Soviet statement subsequently circulated in the Council as a memorandum by the Soviet Delegation, C.F.M.(45) 49, September 24, "Allied Control Machinery in Japan", printed on page 357.]

BYRNES said he supposed that Mr. Molotov's request was to add this item to the agenda.

MOLOTOV said this was correct. He considered this to be an urgent question. They could discuss it tonight if desired and not necessarily at the moment.

BYRNES said there were many matters he considered urgent referred to them by the Heads of State at Potsdam. They had been instructed to consider the question of inland waterways which had been put on the agenda the first days of their session but they had not yet been

⁸⁵ September 23, "Austrian Government", p. 333.

able to discuss it. There were many questions the U.S. Delegation deemed of great urgency but they had not thought of asking that they be put on the agenda because they thought the Council should first dispose of questions referred to them. However, he would be very glad to study the Soviet proposal and whenever they had disposed of matters referred to them by the Heads of State they could consider whether it should be placed on the agenda.

Molotov said he wished to explain why they had asked that this matter be placed on the agenda and why he had raised the question at this meeting of the Foreign Ministers. Already they had been meeting for several weeks and events had continued on their course and the Council was somewhat behind on developments. The surrender of Japan was a very important development to all of their countries. At present in Japan an Allied Commander-in-Chief⁸⁶ was acting without consulting anyone and for its part the Soviet Government could not assume responsibility for a situation which was fraught with the possibility of a new aggression by Japan. The Soviet Government felt it could not take responsibility for the policy being pursued. He wondered if the following corresponded with Allied policy in regard to Japan. Japanese munition dumps, clothing depots etc. were being guarded by Japanese. Japanese soldiers on being demobilized were being issued two suits of clothing and had arms which they carried off secretly to the mountains. American authorities connived with this and would not oppose it in any way. He had mentioned this because it showed that the policy of the Americans in Japan hardly agreed with the policy of other Governments.

He wanted to draw attention to another matter. Prior to the meeting of the Council of Foreign Ministers the Soviet Government had received a proposal from the U.K. Government in regard to the establishment of a Control Council in Japan.⁸⁷ They had received also a proposal from the American Government in regard to an Advisory Commission in Washington. Despite Soviet agreement this had not been done. It was not just a question of setting up a commission about Japan but of setting up a commission in Japan. The British proposal to set up a control commission in Japan deserved as much attention as the Soviet proposal to this end and Mr. Molotov asked that these proposals be discussed.

⁸⁶ General of the Army Douglas MacArthur.

⁸⁷ For documentation on American participation in the occupation of Japan, see vol. VI, section under Japan entitled "Surrender of Japan . . .".

BYRNES said that the policy of the Supreme Commander in Japan was in unity with the policies of the Allies.⁸⁹ A copy had been sent to Marshal Stalin. It was directly contrary to the information sent to Mr. Molotov and he was sure that on investigation Mr. Molotov's information would be found to be incorrect. That policy provided that the Japanese Air and Naval forces be disarmed and that the general staff and secret police organization be disbanded and that military and naval installations be surrendered. That policy would be carried out. Next to China the United States had suffered more than anyone else from Japanese aggression and the Commander-in-Chief could be relied upon to carry out that policy. There was much more he could say to make Mr. Molotov feel more assured in regard to the situation but he did not want to delay consideration of the questions that had been referred to them and he pointed out that this question was one that had not been referred to them. He had a copy of the statement⁹⁰ made by the President in regard to the instructions that had been issued to General MacArthur and he would be glad to give Mr. Molotov a copy. He suggested that they resume discussion of the agenda.

BEVIN said he only wished to say that when the British Government had sent out their letter, this action had been no reflection on the Commander-in-Chief in whom they had complete confidence. The British had only thought the questions might come up which would require consultation. He agreed with Mr. Byrnes that they must continue to deal with their agenda before they took up new questions. He would also like to study instructions from the President of the United States which he had not seen. Obviously having sent out the letter which he did he could not object to the matter being discussed but he thought they should first clear up the items which had been adjourned.

MOLOTOV said he agreed with Mr. Byrnes and Mr. Bevin to postpone the question until later and discuss it at their meeting that morning but his request was that they place on the agenda the Soviet and British documents in regard to the establishment of a control commission in Japan.

⁸⁹ For text of General MacArthur's General Order No. 1 covering the details of the surrender of Japanese forces, see the Report of Government Section, Supreme Commander for the Allied Powers, *Political Reorientation of Japan, September 1945 to September 1948* (Washington, Government Printing Office, n. d.), p. 442. For documentation regarding the preparation of this order, see *Foreign Relations*, 1945, vol. vi, section under Japan entitled "Postwar policy planning in regard to Japan and areas under Japanese control". The text of this general order was transmitted by President Truman to Stalin in a message dated August 15, 1945.

⁹⁰ Apparently reference is to the statement by President Truman regarding the authority of General MacArthur as Supreme Commander of the Allied Powers, released to the press on September 24, 1945; for the text, see Department of State *Bulletin*, September 30, 1945, p. 480. The text of the United States Initial Post-Surrender Policy for Japan was released to the press by the White House on September 22, 1945, *ibid.*, September 23, 1945, p. 423.

WANG said the Chinese would like to have more time to consider before he stated their views.

BIDAULT said that the Council of Foreign Ministers had full control of its agenda. He thought that the Council should follow its agenda but should not exclude anything from it which it desired to discuss. The French Delegation needed time to get instructions. They had no knowledge of the British letter referred to but they would welcome an opportunity to read it.

BEVIN said his understanding was that before this matter was discussed again the agenda would be completed.

MOLOTOV said he had no objection to Mr. Bevin's suggestion but he asked that the question be included in the agenda.

BYRNES said he had stated that he objected to its being included in the agenda at this time. The Soviet paper had just been handed to him. He had stated several days ago that he had come here relying on the agenda which contained questions referred to them at Potsdam and that he was not in a position to discuss Far Eastern matters. He had no military advisor here and he would certainly not want to undertake to discuss the question until he had the necessary advice and information. He would be happy to have the views of his colleagues and to give serious consideration to them but in the absence of any members of his Government charged with these matters he could not at this time say whether or not he could agree to the question being placed on the agenda for action.

MOLOTOV said the Soviet Delegation agreed that they should not discuss the question today. The Soviet Delegation proposed that they revert to the matter the next morning in order to decide whether they should place the matter on their agenda. If Mr. Byrnes was ready they could discuss it that afternoon.

BYRNES said that he had stated his position. He had no objection to the question being discussed. He would object to any understanding that it would be placed on the agenda after it was discussed. He simply wanted to make clear that he was not committing himself to this action.

MOLOTOV asked what had they decided.

WANG said the decision was that they proceed and that Mr. Molotov's proposal that the question as to whether the matter he had raised be placed on the agenda be discussed at a later meeting.

This was agreed to.

SUPPLIES FOR AUSTRIA

WANG said he would ask the Chairman of the Deputies meeting to report on this matter.

WELLINGTON Koo said the Deputies had met and discussed the question but that their examination had not been completed.⁹¹

AUSTRIAN CENTRAL GOVERNMENT

WANG said the second question was that of the Austrian central government.

BEVIN said he had circulated a paper on this matter⁹² and that if it were adopted the matter could be considered as finished. He wished to add that in the paper the use of the word "sovereignty" was not intended to infringe on the power of the Control Council so long as the participating powers considered the Control Council necessary. He had received a telegram which indicated that the question could quickly be settled.

BYRNES said he agreed and he thought that if they could dispose of any questions they should do so.

MOLOTOV said the Soviet Delegation was grateful to Mr. Bevin for his having communicated the decision adopted on September 20 by the Allied Council. The Soviet Delegation had not received its report on this nor the memorandum of Dr. Renner referred to. It was therefore difficult for him to discuss the matter now. He hoped to receive these reports today or tomorrow.

BIDAUPT said the French Delegation was in the same situation but added that the British scheme seemed reasonable.

BYRNES said he wished to ask a question in regard to the British memorandum on food supplies.⁹³ He was advised by the U.S. Deputy that in the consideration of the British paper the first British proposal was deferred and the discussion of the second proposal had not proceeded very far. He wondered whether the British Delegation believed it practical to reach a conclusion in the Deputies' meeting on the 7 proposals or whether the British Delegation could draft a directive to the Allied Control Council in Austria without the Council of Foreign Ministers having to consider the details.

BEVIN said the difficulty was that Austria was a deficient area. Whatever was done in Austria could not solve this question. Yugoslavia had been in the habit of feeding Austria as well as countries of the Danubian Basin. Then there were other difficulties as to what was a standard number of calories. Looking at the report they had

⁹¹ The Deputies held their third meeting at Lancaster House, London, September 24, 1945, at 9:30 a. m., and conducted a discussion of the memorandum by the United Kingdom delegation (C.F.M.(45) 42, September 22, p. 323) regarding Austrian food supplies. The Deputies concluded their meeting by agreeing to report to the Council that they had not yet completed their examination of the question. (Council of Foreign Ministers Files: Lot M-88:CFM London Deputies Minutes)

⁹² Memorandum by the United Kingdom delegation, C.F.M.(45) 48, September 23, "Austrian Government", p. 333.

⁹³ C.F.M.(45) 42, September 22, "Austrian Food Supplies", p. 323.

received they would see that there were differences in the Allied Council. He had been told that Austria was a pretty bad spot from the point of view of living conditions of the people. The British had taken some military supplies and made them available to deal with the situation for a short time. He did not think the sphere of action of the Allied Council was such that it could solve the question. It had been heard up to now that the Allied Council was not competent in this matter. No one wanted a lot of commissions. If it were agreed to extend the power of the Allied Council to deal with this question he thought the difficulty could be overcome. In this case four of the British proposals would be dropped. If this were agreed to in principle the Deputies could be directed to take up the matter.

BYRNES said he was advised that the Soviet representative in the Deputies had said that the Allied Control Commissions in Bulgaria, Rumania and Hungary had information on this matter and that there was no need to set up a new commission. It seemed to Mr. Byrnes that as all were interested in the same object they might consider having the Council call on the Allied Control Commissions in Bulgaria, Rumania and Hungary to furnish the information and they might ask the Yugoslav and Czechoslovak Governments to furnish information and then they would have all information centered in one body.

In this way they would avoid the appointment of a commission and get the information centered in the Control Council of Austria.

MOLOTOV thought the creation of a new commission would not increase foodstuffs but would delay necessary decisions. He thought they should ask the Control Commission and the respective governments whether they had any surplus foodstuffs and he was therefore more inclined toward the proposal made by Mr. Byrnes. In regard to calories perhaps it was possible to receive information whether the necessary amounts had been secured by the American and British Governments for Greece. They should not be less interested in Greece which was an Allied country than in Austria.

BYRNES said he did not know anything in regard to calories in Greece. He assumed the British Delegation had more information than he. The difference in the situations was that they were responsible for the Austrian situation and he thought that if the Soviet Delegation agreed with the suggestion he had made the Deputies might consider something along that line.

BEVIN said he had no objection to the Deputies trying their hand at a directive along these lines but he was not going to revert again to the question of Greece. He wished to make one important point, namely, Allied supplies were guaranteed to the end of October. UNRRA eventually would come in when it was ready but there would be a gap. The Allied Council itself could not decide how that gap

was to be covered and supplies assured. He agreed to refer the matter to the Deputies to see what could be recommended.

BYRNES asked if it was agreed that the Deputies should study the question of a directive and what could be done to fill this gap.

This was agreed to.

INTERNATIONAL WATERWAYS

BEVIN said he had studied Mr. Molotov's paper⁹⁴ and wished to make a statement. The British Delegation was concerned in this matter with the question of a temporary regime and that of a permanent regime. He had no objection to discussing the matter on the basis of a temporary regime in view of the disorganization which had been brought about by the war. The American proposal⁹⁵ provided for coordination of effort. The Soviet proposal really left things just as they were. If the matter were left under the Allied commander he did not see any reason for them to take any decision at all. To take the position on the Elbe, part of this river was in the British zone and part in the Soviet zone. The situation of the Rhine was even more complex. It seemed therefore that with respect to a temporary regime the American draft offered the best basis for real action. The Soviet proposal would leave Great Britain out of the picture on the Danube entirely whereas the Kiel Canal which was in the British zone would be put under the Allied Council. The quickest way to help their allies in Europe was to get waterways and other means of transportation going as quickly as possible. He must emphasize that Great Britain had enjoyed certain rights and that whatever was done temporarily must not prejudice those rights.

There was one grave point which he thought he should put before the Council. By adopting the Soviet proposal it would look almost as though in the temporary period they were establishing frontiers. He would like to propose that the American proposal with certain modifications be adopted. He therefore urged that they try to find a settlement on the question of a temporary regime on the basis of the American proposal without prejudice to their rights. With regard to the question of time mentioned in the Soviet proposals he would point out that Allied control might go on for a long time. Some other time should be fixed for ending the temporary regime. The time might be different for different parts, some of which might settle down earlier than others.

BYRNES said the U.S. Delegation had examined the Soviet proposals with interest in the hope that they might give some ray of light on

⁹⁴ C.F.M. (45) 43, September 22, "Provisional Navigation Regime for European Inland Waterways", p. 324.

⁹⁵ C.F.M. (45) 1, September 12, "Draft Agreement Establishing Emergency Regime for European Inland Waterways", p. 132.

how they might achieve the object which they had in mind. He wished to submit to his good friend of the Soviet Delegation that the difficulty of the Soviet proposals was that it would make possible different sets of regulations on different sections of the rivers and even on different sides of the same river and that it would allow military commanders to stop navigation at any time. A local commander might interfere with navigation in the name of his commander in chief and a navigator, when he started out on a trip, would never know what conditions he might find in the different zones. It was to avoid such conditions that the U.S. Delegation proposed an international commission including all interested powers. He had no objection to fixing a time limit and to provide for the participation of various governments. He would also agree that the temporary character of the arrangement would not prejudice any rights. The objective of the President of the United States in presenting the matter at Potsdam was to see if they could not cooperate in this matter and restore navigation on these important rivers. Because of their sincere belief that it would contribute to relief of those devastated countries the United States had submitted this paper on the first day of the Council meeting with the hope that his colleagues would agree to take it as a basis. They could examine any amendments that they wished seriously to put forward.

MOLOTOV said the Soviet proposals covered only a short period, that of the occupation. In regard to the Balkan countries through which the greater part of the Danube flowed, the time was not far off when they would conclude peace treaties with those countries and pass from temporary to permanent regimes. In regard to Germany and the Rhine, Elbe, and Oder rivers, they could have a special discussion to fix the period. He did not think they should deal with the question of a permanent regime now as it was very complicated. If they undertook to examine the question of a permanent regime they would be confronted with problems such as that of the Danube and would need to invite Yugoslavia to be represented. It would be incorrect to examine this question without inviting the riparian states. What was the meaning of the Soviet Delegation? With regard to the Rhine and the Elbe the regime of these rivers would be determined by the respective commanders in chief who were in charge of troops adjacent to them. The area of the Rhine was not in the Soviet zone but came under the Control Council activities. Part of the Elbe was in the Soviet zone. He hoped that in case of necessity they could reach agreement. The Danube would temporarily remain under the control of the Soviet commander in chief but not fully as Allied representatives were stationed on parts of the river and would have a share in its control. They must bear in mind

the fact that there were troops in the areas in question whose lines of communication must be secured by their commanders in chief. Otherwise there would be dual authority and much undesirable friction. He asked Mr. Byrnes and Mr. Bevin to consider the undesirability of friction and complications. That was why the Soviets confined themselves to the proposals they had put forward. The Kiel Canal was different as it connected two seas and the British would hardly want to take the whole responsibility for this Canal. The other powers had rights arising from the peculiar position of the Kiel Canal but it was natural that the British commander in chief would have supreme authority on this Canal.

BYRNES wanted to suggest that the American proposal was temporary. They could fix a time and say that the regime would cease to exist at the end of two years or say that it would cease unless after review it was decided not to end it. It provided for a conference of all interested states within three months showing that it was entirely different from a permanent regime. Article 8 provided that the commission maintain close contact with the Control Council. It was possible that the Control Council would name the representatives on these commissions. In article 2 that was specifically provided for in the occupied countries. He referred to conditions existing before the war and said that they did not want to take a backward step by forcing navigation to be subject to the regulations of individuals. This would mean different regulations on different sides and on different parts of the rivers. He suggested that they say the temporary regime would expire at the end of two years unless it were decided after review to extend it for a short or for a long period.

MOLOTOV said that they had had no trouble on these rivers and he did not see why they should establish any new regime.

The meeting was adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Nineteenth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 24, 1945, 4 p. m.

C.F.M.(P) (45) 19th Meeting

PRESENT

U.K.
Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.
Mr. Byrnes (Chairman)
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.
M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand
M. Fouques Duparc

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Hollington Tong
Mr. Yang Yun Chu
Mr. Hsieh Kwang-Tsien

1. EUROPEAN INLAND WATERWAYS

The Council concluded their discussion on the organisation of European inland waterways.

No agreement was reached.

2. REPARATION [*Repatriation*] OF SOVIET NATIONALS

After a full exchange of views the Council agreed to resume discussion of this question at their next meeting.

740.00119 Council/9-1145

United States Delegation Minutes of the Nineteenth Meeting of the Council of Foreign Ministers, London, September 24, 1945, 4 p. m.

INLAND WATERWAYS

Mr. Byrnes in the chair.

BIDAULT recalled that the French Delegation had circulated a memorandum on this question.⁹⁶ It represented the old and traditional French policy on this question. He wished to raise two questions. The first was that the Rhine Commission be set up where it had been located before, namely, at Strasbourg. In this connection he pointed out that the American memorandum⁹⁷ provided for the restoration of the system that had previously been in existence as far as possible.

The second question he wished to raise related simply to the drafting. The French Delegation had submitted a memorandum on German problems.⁹⁸ He did not want that problem to be prejudiced by any language used in connection with this matter and he proposed that in the American paper they say "the Control Council or German interests represented by the Control Council".

BYRNES said he had no objection to the language "German interests as represented by the Control Council". He asked if the Soviet Delegation would indicate whether it was willing to consider the American draft subject to any amendment that might be proposed.

MOLOTOV said the Soviet Delegation proposed that its draft⁹⁹ be taken subject to any amendments. What the Soviet Delegation was aiming at was to avoid any dual authority on any of these rivers.

⁹⁶ C.F.M. (45) 33, September 19, p. 261.

⁹⁷ C.F.M. (45) 1, September 12, p. 132.

⁹⁸ C.F.M. (45) 17, September 13, p. 177.

⁹⁹ C.F.M. (45) 43, September 22, p. 324.

BYRNES said that this was provided for in Article 8 of the American paper and if the language in that paper was not specific enough other language could be considered.

MOLOTOV said that Article 8 did not avoid dual authority but on the contrary sanctioned it.

BYRNES asked if the Soviet Delegation would suggest some language for that Article to make it clear that there should not be any dual authority.

MOLOTOV proposed that they take Article 2 of the Soviet draft in order to accomplish this.

BYRNES asked if there were any other suggestions. He thought they could consider whether suitable language could be found without abandoning the principle of returning to an international control system along the lines that had existed before the war.

MOLOTOV said that if they were to talk of a permanent regime they should invite the Czechs and Yugoslavs to participate. He did not mention for the time being other riparian states. In regard to a permanent regime for the Oder, Czechoslovakia and Poland should be called in.

BYRNES said he agreed and this was provided for in Article 10 which said that in regard to the question of permanent control there should be a conference of all interested states and this article provided that the conference should be called within three months and Czechoslovakia and every other interested state would be invited to attend.

MOLOTOV asked what about other interested states such as Rumania and Austria.

BYRNES said that the United States Delegation thought that all interested states should be invited.

MOLOTOV pointed out that he was talking of the present session of the Council of Foreign Ministers.

BYRNES replied that they were not now talking of a permanent regime. He agreed with Molotov that when it was a question of a permanent regime all interested states should be called in. He had said that in order to be sure that this regime was temporary, they should provide that it expire at the end of two years or at some other time.

MOLOTOV said that not a single one of the riparian states had complained of the regime now existing and he therefore saw no need to change during the period of occupation.

BYRNES said that of course their attitudes depended upon the information they got. The United States information was that rivers were blocked and if they were not unblocked before freezing weather set in, they were apt to overflow their banks. It was necessary that work be done immediately and that it cover all parts of these rivers.

MOLOTOV said the Soviets did not have complaints from any allied government or any country situated on any of these rivers.

BEVIN said that the Prime Minister of Czechoslovakia ¹ had told him that he was very concerned in regard to what would happen on the Elbe and had asked that measures be taken in common by the various states to deal with this problem.

BYRNES said that UNRRA officials had told us that it would help them to have navigation on these rivers.

BEVIN said they knew that the Elbe was not open from the sea to Czechoslovakia.

BYRNES said that this was also the United States information.

MOLOTOV replied that the Control Council in Germany could discuss this.

BYRNES replied that the Control Council could not act in such a way as to carry out the duties of the international commissions on these rivers.

MOLOTOV pointed out that the Control Council had also not approached them in regard to this question.

WANG said that the most serious of Molotov's arguments was the question of duality. To minimize friction he suggested that Article 2 of the American proposal be modified to read "the commander-in-chief of the different regions will form part of the commission and will be their chairman".

BYRNES pointed out that in such cases as that of the Danube there would be more than one commander-in-chief and that it would be impossible to say that the commander-in-chief would be chairman. He would, however, be willing that the commanders-in-chief sit with the commission to be assured that their interests were protected.

BEVIN pointed out that all of their experts were here and that if this could be approved in principle and a conference convened immediately they could refer the matter to them and ask them to advise the Council. One reason why he suggested this was that all riparian countries were, he believed, represented on the conference on European Inland Transport ² that was now taking place in London and that they could give their advice very clearly. If the Council could accept the United States draft as the basis, they would have a basis for their work.

BYRNES asked if his understanding was correct that Bevin proposed to refer this paper to the European Inland Transport Conference and ask them to give the Council a report on it.

BEVIN replied in the affirmative.

¹ Zdenek Fierlinger. The British minutes of this meeting record that Bevin recalled that Fierlinger had spoken of the matter during his recent visit to London (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes).

² See pp. 1389 ff.

BYRNES said he would be disappointed if the Council of Foreign Ministers did not consider this question because of the deep interest which the United States had in the matter, but if this were not possible then he thought it wise to adopt the proposal made by Mr. Bevin.

BEVIN pointed out that he did not approve that it be referred to the organization on European Inland Transport as such, but to the same people sitting as a commission. The members of that organization were the United States, the United Kingdom, the U.S.S.R., and France, together with one representative of each of the non-enemy riparian states.

BYRNES asked if Bevin proposed that they fix some time within which they would ask for a report to be submitted such as by the time of the next session of the Council of Foreign Ministers.

MOLOTOV said that he did not see what a commission could do if a Council failed to agree. They had to agree on a basis and in this case the Soviet Delegation suggested that the Soviet proposal be taken as the basis. It still felt that it was important to avoid duality in orders issued by the commission and by the commanders-in-chief.

BEVIN agreed with Molotov that if the principle were not decided in the Council there was no use in sending it to the Commission.

BYRNES said that if they could then not come to agreement they would have to pass over the question on the basis that it was hopeless and that they were unable to reach agreement.

MOLOTOV suggested that they pass over the question until such time as all members of the Council of Foreign Ministers recognized that it was necessary to revert to it.

[BYRNES]³ The United States Delegation keenly regretted that the Council had not been able to take any positive action to restore navigation on the waterways of Europe. The waterways in Europe were not entities in themselves. They were not the concern of individual riparian States alone. They were a part of a whole network of communications and transportation. When other means of transportation were unable to carry goods, the waterways became the most vital of all means of communication. Distressed people of many countries could not wait upon months of leisurely debate among statesmen or technicians. They must have food, medicine, clothing and fuel now or suffer irreparably.

The United States Delegation came to this Conference with the high hope that the Conference would open the doors of river transportation in Europe. It was sorely disappointed that the Council

³ According to the British minutes of this meeting, this and the following paragraph are attributed to the Secretary of State and were preceded by the following statement by the Secretary: "MR. BYRNES said that he could not agree to this, as it would mean that any one Foreign Minister could prevent it from being discussed." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

had not been able to do this. It believed firmly that the members of the Commissions and the Allied Commanders could cooperate to relieve distress in those areas.

MOLOTOV said he wished to add that the position of the Soviet Delegation did not differ from the position which would be adopted by any other government which found itself in the same position as that of the Soviet Government and which bore the same responsibility for occupied areas. Any other government that found itself in the position of the Soviet government would act similarly. The attitude of the Soviet Government fully corresponded with the interests of all the allied nations and represented the best way of improving navigation on the rivers in which the riparian states were interested.

REPATRIATION OF SOVIET CITIZENS

MOLOTOV said that this was a very sore question for the Soviet Union and that this was not the first time they had approached the governments of Great Britain, the United States, and France in this matter.⁴ More than 4,000,000 Soviet citizens had been repatriated although 200,000 had not been repatriated. Many thus seized by the enemy had not been traced. The Soviet government thought that this solution for its nationals was more than justified. The Soviet government again wished to express its gratitude to the Government of the United States, the United Kingdom, and France for the assistance given in the repatriation of Soviet citizens up to the present time. The Soviet government had concluded agreements with the governments of Great Britain, the United States, and France in regard to the liberation of Soviet nationals. These agreements had played a useful role up to now. However, cases had occurred which could not be considered normal and which worried the Soviet people very much. The Soviet Delegation asked that the greatest possible attention be given to its statements on this question. He pointed out that 21,400 United States nationals had been repatriated, and it seemed that one American who had been liberated had not yet been repatriated owing to his illness. Also 23,762 British nationals had already been repatriated and again one had not been returned because of illness. 294,160 French nationals had been liberated and repatriated up to the present. He had no information as to the French men not liberated, but everything was being done to accelerate their repatriation. The total figure of all allies, including prisoners of war, displaced persons including Poles, Czechs, Belgians, and Dutch, amounted to 794,113 persons.

BEVIN pointed out that this was a difficult problem. So far as Soviet citizens in the ordinary way were concerned, they had done a

⁴ For additional documentation regarding the repatriation to the Soviet Union of prisoners of war and displaced persons, see vol. v, pp. 1067 ff.

good job. However, this matter involved the Baltic States and Polish areas east of the Curzon Line.⁵ It had been held that because they had agreed at Crimea to support the Curzon line,⁶ they had ratified it. The British held a different view. He had not been there but he had read the papers. The statement issued said what the three heads of governments considered ought to be the new frontier. The same had been stated in the House of Commons. He was anxious to settle this matter. In the Soviet-Polish Treaty⁷ provision for option had been made. No option had been given these people, however. The Baltic States were a separate problem. He asked in regard to the Poles, whether the British were to be expected to compel these people to go back whether they wanted to or not. This would be contrary to Britain's oldest traditions and laws. It was a question whether these people become Soviet citizens when the frontier changed by two belligerents had not been induced by a general peace treaty, and what the legal position was in such a case. He was not putting this up to cause difficulty but felt that they must examine the problem in the most friendly manner.

He could not accept the Soviet claim in regard to the Balkan States and he did not know whether it was pressed. The British had encouraged every one to go, but he pointed out that there was the question of the Polish army. Many of these people came from Eastern Poland. Were they to have any option? The matter had been discussed with the Polish Government.

BEVIN said he had made a speech in the House of Commons urging these people to go. The British had not had much assistance in the matter. So far as he knew all Soviet citizens, that is those included within the 1939 Soviet border, had either gone back or were awaiting transportation. They must resolve the question of principle and decide on a method in respect to the Poles in order to ascertain who were Soviet citizens. If they could decide that all Poles outside of the old Polish frontier include displaced persons and prisoners of war, which [*and were?*] deemed to be Poles unless they opted to go

⁵ In regard to the origin of the Curzon Line, and for a description of it, see *Foreign Relations*, The Paris Peace Conference, 1919, vol. XIII, pp. 793-794. Further details are in H. W. V. Temperley, *A History of the Peace Conference of Paris* (Oxford, 1924), vol. vi, pp. 233-283, 317-322; and summary descriptions in S. Konovalov, *Russo-Polish Relations: An Historical Survey* (London, 1945), pp. 33-38, 57-63. For a map showing the Curzon Line, see *Foreign Relations*, The Conferences at Cairo and Tehran, 1943, facing p. 601.

⁶ President Roosevelt, Prime Minister Churchill, and Marshal Stalin agreed at the Crimea Conference, February 4-11, 1945, "that the eastern frontier of Poland should follow the Curzon Line with digressions from it in some regions of five to eight kilometers in favor of Poland."; see Report of the Crimea Conference, February 11, 1945, *Conferences at Malta and Yalta*, pp. 968, 974.

⁷ Reference is to the treaty between the Soviet Union and the Polish Provisional Government concerning the Soviet-Polish state border, signed at Moscow, August 16, 1945; for text, see United Nations Treaty Series, vol. x, p. 193.

back to the Soviet Union, such a decision would administratively save them much trouble.

BYRNES said that as a result of the statement made by the Soviet Delegation at the time of the Potsdam conference,⁸ he had had investigations made and after reading the reports he was convinced that the United States authorities had done everything in their power to carry out their agreement with the Soviet Government on this subject. He added that investigation had also been carried out at Potsdam, but he referred only to those with which he was personally familiar. The matter was one which was in the hands of the military authorities and he had called on them to see that the agreement was faithfully carried out and he knew that they would do so. The situation as reported to me was much like that outlined by Mr. Bevin. There was no question of the desire of the military authorities to act in any case where the matter of citizenship was not raised. When, however, a person declared he was not a citizen of the Soviet Republic, then the military authorities must look into the matter to see whether he was or not. His Soviet friends knew that this faced us with a problem.

In the Yalta Agreement the three heads of Government had stated they considered that the eastern frontier of Poland should follow the Curzon Line with some digression in favor of Poland. The United States supported the Curzon Line and would certainly continue to do so. The agreement had been deliberately worded the way it was because President Roosevelt knew he could not speak on this for the Government of the United States; therefore the expression "heads of Government" had been used. Notwithstanding this President Truman felt the same way, and all that the President of the United States could do to support it would be done. MR. BYRNES said he was not on the drafting group but he was told that the agreement had originally read "the three governments", but that this had been changed to read "the three heads of Government" because the President did not want to overstep his authority. It had also been said that the matter would have to be settled at a peace conference by a treaty. The same thing had been said with regard to Silesia and East Prussia. So far as the President of the United States was concerned the United States would stand by the agreement with regard to Silesia and East Prussia. The question was, prior to such a settlement, a man said he was not a national of the Soviet Republic and could not be treated as such at this time. The United States military authorities tried to

⁸ Apparently reference is to the *aide-mémoire* of July 1945, from the Soviet delegation to the United States delegation, *Conference of Berlin (Potsdam)*, vol. II, p. 1165. For additional documentation regarding the discussion at the conference of the repatriation of Soviet citizens, see *ibid.*, p. 1637, index entries under Soviet Union: Repatriation of alleged Soviet nationals.

send them back but they were unable to do so when these persons denied they were Soviet citizens. The United States wanted to do what was right about the matter, but under United States law it was difficult to say that a man was a citizen when there was no cession of territory ratified by the United States Government. His Soviet friends must believe that the United States was not acclimated [*actuated*] by any desire other than to carry out the agreement, but this did present a serious problem.

BIDAULT said the French Delegation knew of grievances, chiefly individual cases. The solution of these through the diplomatic channel would have been easy. He preferred not to deal with individual cases. He had not been present at the Crimea conference and he was not so well informed as his colleagues, but in regard to the agreement signed between the Soviet Union and France he was ready to accept some of the proposals of the Soviet Delegation provided that the text was replaced by a bilateral text. An important number of French men had not yet been repatriated. He therefore asked that the first paragraph of the Soviet proposal be reciprocal in regard to visits to camps, and in this connection he said his information did not coincide with the information given earlier. Paragraph four of the proposal was unacceptable. The French Government was determined to apply every agreement both in the letter and in the spirit. What he had said about bilateral agreements did not exclude the French Government to participate in a general discussion of any question of principles raised.

MOLOTOV said that of course the Soviet Delegation was only asking for reciprocity. He wondered how the matter stood. In Soviet British relations, from the point of view of reciprocity, only one British national had not been repatriated because of illness. The British authorities had made no complaints but there were tens of thousands of Soviet citizens in the British zone to which the Soviet Government had no access. For their part the Soviet Government had applied reciprocity.

With regard to the Western Ukraine and Western White Russia he did not completely understand the subtleties of the juridical questions to which Mr. Byrnes had referred when he expounded the point of view of the American Government. He wondered, however, whether he could take it that the border between the Soviet Union and Poland had been settled or whether it was still hanging in the air. He pointed out that the decision of the Berlin Conference said that the three heads of government agreed that pending a final determination of the peace settlement, former German territories east of such and such a line could be placed under the administration of Poland. At the Crimea Conference, however, the decision was that

the three heads of government considered that the frontier should follow such and such a line. It would be noted that the difference was that there was no reservation in the Crimea decision. He wondered if Mr. Byrnes's Legal Adviser had drawn his attention to this difference. Every one was clear that the sense of the decision in regard to the eastern frontier of Poland was a final decision so far as their three governments were concerned, and no one could doubt this who had read about the matter in the press. He drew attention to the fact that between the Soviet Union and Poland there was no difference of view and both governments agreed, as to the line, as to who should be considered Polish and who should be considered Soviet citizens.

What were the consequences of the statements of the American and British Delegations. Inhabitants of the Western Ukraine and White Russia who found themselves in the hands of British authorities were, in the Soviet view, Soviet citizens. Suppose some of them did not want to return home because they had assisted Hitler. If this fact gave rise to doubt as to whether they were Soviet citizens or not, then it might be that his British and American colleagues did not regard the 13,000,000 citizens in the Western Ukraine as Soviet citizens but as stateless persons. That was the result of the statements they had made. The Baltic republics had been mentioned. He would not dwell upon this question. It was well known where they were situated. Perhaps some people were not clear but the question was still practically in reality.

Let them take the instance of Vlassov,⁹ who was a traitor now in Soviet hands and who would be tried as a war criminal. Many of his men, however, were in American and British hands. It was obvious that this man wished to escape punishment. But why were such people held and why was it not wanted to return them to the Soviet Union for trial. Traitors must answer to their own countries for their treason in aiding Hitler. What interest did the American and British Governments have in these people. It was natural that allies should help each other to bring traitors back. He was not speaking of Latvia and Estonia, etc., but citizens of Kaluga and Moscow. The Soviet Union had never demanded the forceful return home of those citizens who were not criminals toward their motherland but who for some reason did not want to return. How was it possible not to give access to camps to Soviet officials in which, in their opinion, there were Soviet citizens. As sad as it might be many Soviet citizens

⁹ Andrey Andreyevich Vlasov. Lieutenant General in the Soviet Army until his capture in 1942 by German forces; Commander in Chief of the Armed Forces of the Committee for the Liberation of the Peoples of Russia (an anti-Soviet group) from January 1945 until May 1945 when he was captured by the Soviet Army.

had been brought into the clutches of Germans and many of these had been instilled with anti-Soviet propaganda. Now they were in British and American camps and their minds were muddled. Soviet officials wanted to explain things to them but had no access to the camps. How could they reconcile this with friendly relations between countries. He proposed that the Soviet proposal be taken as a basis and be referred to the Deputies.

BEVIN said one would assume from the statements made that the British were anxious to assist criminals. He had seen the papers regarding Vlassov which ran to about five hundred pages, and he had passed them to the military commanders whose reply he was awaiting. As soon as he had all the facts he would inform Mr. Molotov, but he wished to point out that the problem was wider than that. The chief difficulty of the British was in regard to the Poles. In the document Mr. Molotov had read no treaty had been concluded.¹⁰ Mr. Churchill could not have done this without reference to Parliament. Mr. Bevin said he had no information in regard to the arrangement for the option by Poles and he only knew of this from newspaper reports. He had not been told officially. He had not claimed that 13,000,000 citizens were stateless, but some of these people who were abroad denied that they were Soviet citizens. The British had 900,000 Poles in their territory. Field Marshal Montgomery was anxious to send them back. The British had 100,000 prisoners of war, some of whose residences were east of the Curzon Line, but who claimed to be Poles. The generalizations, almost accusations, made by Mr. Molotov were not helpful. The Deputies could not deal with this matter. How could Deputies decide that the British Government recognized a given line and change the citizenship of people who had been told nothing about it. This had to be dealt with by the Government officials. He did not want to cause difficulty but he was anxious to solve this question.

He thought the whole question of the Eastern frontier should be cleared up. With regard to the Curzon Line he had heard a report that the people concerned would have a free choice of their citizenship but nothing had been conveyed to the British officials. The British constitution on these matters differed from the American but the British were anxious to get this matter cleared up. When he was in Potsdam he had asked the Polish Government if these people would get the same treatment as other Poles, but he had not yet got-

¹⁰ According to the British minutes of this meeting, Bevin said at this point: "M. Molotov had quite rightly said that at the Crimea Conference the Heads of Governments had considered that the Polish-Soviet frontier should follow the Curzon line. But they had said no more than that." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

ten that matter cleared up. The British Government had to face public opinion, and any government that took steps that disregarded human rights would not last long. He wished to add that the latest figure of Poles held by the British was 500,000. He wished to emphasize that the British promise to support the eastern frontier of Poland, as provided at Yalta, would be adhered to. This was no political question in regard to a line but a difficulty in regard to the actual persons concerned.

BYRNES said that we would gain nothing by sending this to the Deputies who would not be able to help them. His friend, Mr. Molotov must believe that the United States had no desire other than to cooperate in this matter. If any of General Vlassov's men were in United States custody Mr. Molotov could rest assured that he had no sympathy for them. This, however, was a difficult question. Molotov had said he did not wish to force people to return unless they were criminals. If they were war criminals there would be no difficulty, under the agreement reached, in having them turned over regardless of whose custody they were in. Molotov could rely upon it that the matter would again be taken up with the military authorities and that the United States would return all who wanted to return and those in regard to whose citizenship there was no doubt. He was glad the matter had been brought up because it had caused them to give thought to the important question of citizenship of people in the territory in regard to which they had been talking. He would like to know what the arrangements were regarding option in the agreement between the Soviet Union and Poland. He pictured an army officer confronted with a man who, when he left home, naturally was a citizen of Poland. Now he was told that the line had been changed and he was a citizen of the Soviet Republic. He, or some lawyer for him, could say that a treaty gave him the right to opt. This raised all sorts of questions which they could not settle in the Council.

Molotov must believe that we were anxious to settle this matter and that we would take it up to find the best way to settle a problem which he could see had given the Russians a lot of meditation.

BEVIN said he preferred to deal with it through the diplomatic channel and that he would deal with it vigorously.

MOLOTOV said this was a sore question for the Soviet Union as a large number of Soviet citizens were involved. Immediately after the Crimea Conference the Soviet Government had signed agreements with the American and British governments in regard to repatriation. At that time no question arose as to who were Soviet nationals. If it had they would have given explanations. Neither the British nor the American Government had made any reservations.

In regard to the Polish-Soviet agreement respecting the frontier and the arrangement for option, he would provide both the British and American Governments with these agreements.

He asked if they could agree on the following decision :

"The Council of Foreign Ministers takes note of the statements of the British, United States and French Delegations to the effect that their Governments will take all necessary measures to accelerate the repatriation of Soviet citizens and that all proper facilities will be given in pursuance of this object".

BEVIN proposed adding the words ". . . agreed definition of Soviet citizens".

MOLOTOV said he would be happy to accept this but it would not be easy to agree taking into account such countries as Latvia and Estonia, and that many Poles would be involved.

BEVIN proposed having the question of "definition of Soviet citizens" pursued through diplomatic channels.

MOLOTOV said this could not be recorded.

BEVIN said he did not press the matter as long as it was understood they could do it. He was trying to cut out a lot of authorities and to deal with it through the diplomatic channel.

MOLOTOV suggested that in regard to Poles they might have a special agreement.

BYRNES said there should not be any misunderstanding. If Mr. Molotov was agreeable to trying to solve this matter through the diplomatic channel that was all right, but if agreement was to be arrived at on a resolution and they had a difference in regard to what constituted a national of the Soviet Republic, it would serve no purpose to say they had agreed. He would want it understood that the United States would have to determine in each case who was a Soviet citizen. That was the burden of our military authorities.

MOLOTOV asked if Soviet representatives would be given access to camps in which they have information that there are Soviet citizens.

BEVIN said he could not answer that before going into the matter.

MOLOTOV said that this was the Soviet proposal.

BEVIN said he could not answer that at this session. That is why he wanted it to be handled through diplomatic channels so that it would pass into his hands. Some of these things were dealt with under other departments. He could not, at any rate settle the matter this week.

MOLOTOV said the Soviet paper had been in their hands for weeks.

BEVIN said he had been studying it on the legal ground.

BYRNES said he had to leave the meeting and would ask Mr. Dunn to take his place.

BEVIN asked if Mr. Molotov would take his word and not insist on such and such a method.

MOLOTOV said he at least requested that they accept his proposed resolution.

BEVIN asked what this meant.

MOLOTOV replied that Soviet officers could visit the camps.

BEVIN said he could not agree.

MOLOTOV said he would not specify but the matter would become clear after reading the Soviet memorandum.

BEVIN said he could not give a pledge to another country at this moment that he would give access to the camps.

MOLOTOV then proposed that they decide that they had reached no agreement.

BEVIN said that perhaps if he could see the Soviet proposal in writing they might be able to reach agreement the next day.

MOLOTOV said he agreed.

DUNN noted that no agreement had yet been reached.

BIDAULT said he was ready to accept the Soviet draft on condition of reciprocity in regard to French citizens of Alsace and Lorraine.

MOLOTOV said that if the French representative had any measures to propose he could let them know and they would deal with it.

BIDAULT said he only asked that his suggestions be taken into account.

The meeting adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 49

LONDON, 24 September, 1945.

ALLIED CONTROL MACHINERY IN JAPAN

The Soviet Government consider that the situation that has now arisen in Japan urgently calls for the immediate establishment there of an Allied Control Council. So long as the purely military phase existed and the Japanese Army and Navy had not yet been disarmed, the concentration of all control functions in Japan, in the hands of the Allied Commander-in-Chief, was understandable and could be justified. Now, however, that the purely military phase has ended, new tasks confront the Allies in Japan, mainly of a political, economic and financial nature the ultimate purpose of which should be the destruction of Japanese militarism and the creation in Japan of such conditions as will obviate any possibility of new aggression on her part. The responsibility for the achievement of this aim rests

with the four Allied Powers and cannot be placed solely on the United States of America. The Soviet Government accordingly consider it necessary to submit for the consideration of the Council of Foreign Ministers the following proposals:

1. An Allied Control Council shall be set up in Tokio consisting of representatives of the United States, Great Britain, the Soviet Union and China under the chairmanship of the United States representative.

2. The task of the Allied Control Council, which will be set up immediately, shall be to define and formulate the policy of the Allies towards Japan in political, military, economic, financial and other matters. All questions on which it may prove impossible to reach a decision on the spot shall be referred to Governments for settlement through such channels as they may choose.

3. Measures to carry into effect the policy formulated by the Allied Control Council shall be taken by the Chairman of the Council through the executive agencies of the Control Council.

In the matter of military and economic disarmament, reparations and other problems calling for direct supervision on the part of the Four Powers, representatives of these Powers may be included on the above mentioned executive agencies.

4. Garrison duties in Tokio should be carried out jointly by the armed forces of the Four Powers.

5. Other questions connected with the organisation of Allied Control Machinery in Japan and the possible participation in such machinery of other Allied States which have played an active part in the war against Japan, e.g. in the shape of an Advisory Council, can be discussed later and the Soviet Delegation has no objection to these questions being discussed also at the present Session of the Council of Foreign Ministers.

740.00119 Council/9-2445

*The Belgian Ambassador (Silvercruys) to the Acting Secretary of State*¹¹

No. 6359

WASHINGTON, September 24, 1945.

MR. SECRETARY OF STATE: At the Potsdam Conference it was decided that a state not represented on the Council of Foreign Ministers would be invited to send representatives to participate in the discussion and study of any question in which it had a direct interest.

¹¹ The text of this note was transmitted to the Secretary of State in London in telegram 8384, Secdel 109, September 24, 1945. In a note dated October 1, the Acting Secretary of State informed the Belgian Ambassador that his note had been referred to the Secretary (740.00119 Council/9-2445).

The placing on the agenda of the conference now taking place in London of problems relating to the regulation of the navigable waterways in Europe and to the status of regions such as the Rhine and Ruhr basins indicates the examination of questions in which Belgium has a vital and permanent interest. The Belgian Government believes that it should be directly associated in the exchange of views which will take place on this occasion. My Government has instructed me to remind the United States Government of Belgium's legitimate concern with these questions. It is confident that the five Governments represented at the Council of Foreign Ministers deem that they should respond to this concern and will invite the Belgian Government to participate from the outset in the discussion and study of these questions.

I avail myself [etc.]

SILVERCRUYS

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twentieth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 25, 1945, 11 a. m.

C.F.M.(P) (45) 20th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault (Chairman)
M. Couve de Murville
General Catroux
M. Alphand

CHINA

Dr. Wang Shih-Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. JAPAN: ALLIED CONTROL MACHINERY

The Council resumed their consideration of the question whether the memorandum on this subject by the Soviet Delegation (C.F.M. (45) 49¹²) should be added to the Agenda for the present Conference.

After discussion, the Council took note that there was no common agreement among the members of the Council to add to the Agenda for the present Conference the question of Allied Control machinery for Japan.

¹² September 24, p. 357.

2. REPATRIATION OF SOVIET NATIONALS ¹³

The Council considered memoranda on this subject by the Soviet Delegation (C.F.M.(45) 10) and the British Delegation (C.F.M.(45) 46 ¹⁴).

After a full discussion, the Council—

(1) Adopted the following resolution:

“The Council of Foreign Ministers takes note of the statements of the United Kingdom, United States and French Delegations to the effect that their respective Governments will continue to take all necessary measures to accelerate the repatriation of Soviet nationals and to facilitate, by common agreement, the conditions necessary for the accomplishment of this task”.

(2) Agreed that any questions relating to the Repatriation Agreements, including questions of national status, should continue to be pursued through the diplomatic channel.

(3) Agreed to resume, at their meeting on the following day, discussion of the proposal of the French Delegation regarding the repatriation of French nationals still in the custody of the Soviet Government.¹⁵

740.00119 Council/9-1145

United States Delegation Minutes of the Twentieth Meeting of the Council of Foreign Ministers, London, September 25, 1945, 11 a. m.

M. Bidault in the Chair

BIDAULT—The first point on the agenda is the formula regarding repatriation ¹⁶ which was discussed yesterday.

MOLOTOV—Mr. Chairman, it seems to me that we have been anxious to discuss the question raised by the Soviet Delegation yesterday, whether there should be placed on the agenda the question of the establishment of control machinery in Japan.

BIDAULT—As far as I remember the decision taken was that the question would be examined at some later date, and I am not sure that we have fixed a date.

¹³ This Record of Decisions was discussed at length during the 28th Meeting of the Council, September 29. According to the British Record of the Council's 28th meeting (not printed), the Council agreed that the Record on the question of repatriation of Soviet nationals should consist merely of a statement that an exchange of views took place on the memorandum submitted by the Soviet delegation.

¹⁴ C.F.M.(45) 10, September 13, and C.F.M.(45) 46, September 22, pp. 151 and 325, respectively.

¹⁵ For text of the French proposal regarding French nationals in Soviet hands, see the American minutes of the 20th meeting of the Council, September 25, *infra*.

¹⁶ Molotov's formula regarding the repatriation of Soviet citizens is included in the minutes of the 19th meeting of the Council, p. 349.

MOLOTOV—The decision was that this question of the control machinery should be discussed now at the beginning of this meeting and then we will pass to the question of the draft resolution on the repatriation of nationals. I have that draft here and it is being translated into English.

BIDAULT—It seems to me that we have no objection to that proposal since the only decision taken was that we should discuss this at some later date which means any day following yesterday's discussion.

MOLOTOV—Then I suggest that we now pass to the resolution on the question of the repatriation of Soviet nationals and afterwards turn to the discussion whether we are to place on the agenda the question of the control machinery.

BIDAULT—The French Delegation will circulate a memorandum on the question we discussed yesterday.

MOLOTOV—The Council of Foreign Ministers takes note of the statement made by the British and French and American Delegations to the effect that all necessary measures will be taken to accelerate the repatriation of these nationals and to facilitate the accomplishment of this task.¹⁷

BIDAULT—Is it the draft which was read yesterday?

MOLOTOV—That is right.

BIDAULT—At that time the French Delegation read a paragraph which they proposed to introduce and which is exactly parallel to that read: "The Council takes note of the declarations made by the Soviet Delegation that the Soviet Government will take the necessary measures to speed up the repatriation of French citizens in particular Alsacians and Lorrainians."¹⁸

MOLOTOV—I think that this is another matter which cannot be compared with the question raised by the Soviet Delegation. As to the question raised by the French Delegation, it is for us to find who fought with arms in their hands against the Soviet armies. Our proposal deals with another matter, and I therefore propose that we examine

¹⁷ As circulated in the Council as C.F.M.(45) 51, September 25, 1945, the draft resolution by the Soviet delegation entitled "Acceleration of the Repatriation of Soviet Nationals" read as follows: "The Council of Foreign Ministers take note of the declaration of the United Kingdom, French and United States Delegations that their Governments will take all necessary steps to accelerate the repatriation of Soviet nationals and to facilitate conditions for the accomplishment of this task." (Council of Foreign Ministers Files: Lot M-88: CFM London Documents)

¹⁸ According to the British minutes of this Council meeting (not printed), the proposed French resolution regarding French nationals in Soviet hands read as follows: "The Council takes note of the statement by the Soviet Delegation that the Soviet Government will take all necessary measures to accelerate the repatriation of French nationals, including those from Alsace and Lorraine." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

the Soviet proposal and then turn to the question raised by the French Delegation.

BIDAULT—With regard to the French, we see no objection that the two subjects be combined, since it is a question involving fighting under pressure, as was the case in other circumstances in other countries, and we must insist that the French proposal should in any case be included in the final communiqué of the Conference, but I do not insist that there should be full parallelism.

MOLOTOV—I should like to ask that the question raised by the Soviet [*French?*] Delegation be discussed tomorrow because we will need to acquire some information from Moscow as regards the details.

BIDAULT—With regard to the French Delegation, we feel too that it is very important that there should be reciprocity. In my opinion the agreements should be discussed simultaneously, and we have information to supply right away, but I know for certain there is an important number of French citizens from Alsace-Lorraine. I wish that at least the principle should be included in our agreement, and that there should be some formula in these agreements as regards citizens from Alsace-Lorraine.

MOLOTOV—The question raised by the French Delegation is the question of the inhabitants of Alsace-Lorraine and calls for a special study, because this question is not covered by the terms of the Franco-Soviet Agreement. I raise this question as it was covered by the French-Soviet, Soviet-American and Soviet-British agreement. I have no objection that we look into this question raised by M. Bidault, but it would be well for us to wind up one question and to give us twenty-four hours to obtain the necessary data required by the question raised by the French Delegation.

BIDAULT—I am afraid that I cannot agree with M. Molotov as there was the agreement signed on June 29, 1945 regarding all Soviet and French citizens. I raised no difficulty today as regards the definition of Soviet citizens and I had never heard it mentioned that there was any question of the definition of French citizens. I could not think that acts of Hitler in the case of French citizens would ever be perpetuated by Allied Governments.

MOLOTOV—I am not raising the question of what French nationals are and I think it is not proper here to discuss such questions in the Council of Foreign Ministers, but it is one matter when nationals are concerned who served in the Allied forces and it is another matter when nationals are concerned who served the German armed forces. The Soviet Government is prepared to view the question raised by the French Delegation with sympathy, but it is necessary for us before we try to discuss this question to obtain certain information, and therefore we suggested that the question raised by the French

Delegation be discussed tomorrow. As to the question raised by the Soviet Delegation, this question has been fully discussed, and I think we should continue it today.

I should like to ask that we not put off the question of repatriation of Soviet nationals, as the facts prove its urgency. I am now in possession of these new facts: in a town in Algiers, the commander of a battalion selected 36 Soviet nationals and sent them to serve in a replacement center in Shansi for transportation further into China.¹⁹ I wonder if such facts can be passed by in silence and whether we could afford to postpone putting an end to these intolerable facts.

BIDAULT—I don't want to prolong this dispute or to add anything to it so far as I am concerned. We also have some information as regards a number of events, but since I do not wish to continue this—what I want to say is that the case of French citizens from Alsace-Lorraine should be examined, and that the legitimate feeling of those who wish to go home should be taken into account. This is also valid for any other country. Although this question is important, I agreed that examination of this matter should be postponed until tomorrow, then the Council will be in a position to examine the situation, and it will have in its hands the information received. May I say in conclusion that the position of the French Delegation is final, and I wish to give you the proof of our good will and our desire for understanding in the matter of so much importance to us.

MOLOTOV—I am grateful to Monsieur Bidault.

BEVIN—I would accept the resolution if a few words were added: in the third line after the words "governments will" add the words "continue to take".

MOLOTOV—I agree.

BEVIN—In the last line but one, I could agree with "the repatriation of Soviet nationals and to facilitate by mutual agreement the conditions of carrying out that task".

MOLOTOV—I agree.

BEVIN—I would also circulate before the Conference breaks up and get in all the figures I have received concerning the situation in Germany, Britain and other parts; and, in view of the proposal yesterday, I take the opportunity of circulating this. In regard to Vlassov's men—I submitted the question of this only a few days ago when the matter was submitted—I raised it with the military, and I understand that the Combined Chiefs of Staff in Washington are affected with this question and I am awaiting their reply

¹⁹ According to the British minutes of this Council meeting (not printed), Molotov said, "Thus, in Algeria the Commander of a Battalion had selected 36 Soviet nationals to be sent to a Replacement Centre for onward passage to Indo-China." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

with respect to the transfer of these men. And I am asking for an expediting of the situation.

BYRNES—I have no objection to the two amendments offered by Mr. Bevin. Yesterday I stated our position in reference to this matter, and I do not want to agree to the proposal of the Soviet Delegation without an understanding of what it means. We have frankly stated our difficulties to the repatriation of Soviet nationals. Now in this paper there is nothing to indicate our view as stated yesterday. It would serve no good purpose to agree to something that might be the cause of misunderstanding in the future. For instance, the words that disturb me are the words “Soviet nationals” without a statement showing the difference of opinion expressed at this table. That does not mean that the United States accepts the definition contended for by the Soviet Delegation as to what constitutes a Soviet national. The fact is, there was no meeting of minds on that question. And therefore the paper, which purports or is meant, or can be construed thereafter, as a meeting of minds when there was no meeting of minds would only cause irritation between us. I have stated my willingness and my desire to straighten that out through diplomatic channels, and have asked for a copy of the treaty between the Soviet Government and Poland. When it is received, we will try to find some way of arriving at a settlement of some of the perplexing questions. In order to avoid misunderstanding I have to observe that after the word “repatriation” in line 4 there should be added “all persons considered by their governments to be”, so that it is agreed that it means the repatriation of persons considered by their governments to be nationals.

MOLOTOV—I think that the proposal made by Mr. Byrnes has been prompted by some misconception. If the American Government agrees to discuss with the Soviet Government the question of what constitutes an American national, then we shall agree to discuss with the American Government the question of what constitutes Soviet nationals. Such questions are decided only on the basis of reciprocity. I suggest that we should not discuss this question, but that we should strictly be guided by the agreements which were concluded between the Soviet Union and Great Britain, the Soviet Union and the United States, and between the Soviet Union and France. As to the remaining question, that should be taken up through diplomatic channels.

BEVIN—This is a preliminary thought, and I only make the suggestion: this difficulty of Poland and the Eastern line—I am very much in the same position as Mr. Byrnes, and I am also in the same difficulty with the Polish army and so on. It is not a clear-cut line. This transfer of people is a difficult problem, and it is also difficult for Britain

which has always given all people the right of asylum. We did it in the days of the Tsars, when we gave refuge to Russian citizens here who later became leaders of Soviet Russia, and I do want to be careful what we do; and therefore I wondered, Mr. Byrnes, if we get to settle this point of what is a Soviet citizen through diplomatic channels, we are not discussing Soviet citizens proper, on which everybody is agreed, but only those from disputed territory and the claims of other governments upon us in this matter with whom we are in discussion now. Could you say therefore if the thing were pursued, as I understood we agreed, through diplomatic channels we ought to get over this business providing we could say something to the world that would safeguard us on this point. Mr. Molotov has objected to that and regards it as a challenge. Supposing, for instance, we decide to send a person back from Great Britain who did not want to go back and who claimed that he was not a Soviet national; he can take us to the courts and we will be in a difficulty. At least if something can be said that would be a determination as to the people coming within the category for repatriation, as mention of pursuing it through diplomatic channels I think it would help us.

MOLOTOV—I should like to make it clear that Mr. Byrnes has raised a complex question and I should like to say that we should not pursue the question now. I continue by citing an example: take for instance Sweden. This country recognizes as Soviet nationals the inhabitants of Lithuania, Latvia, and Soviet citizens of the Ukraine and White Russia. There may be one point of view regarding this in Great Britain and another point of view in some other country friendly to ours. But I think that we should not go deep into this and other questions connected with the question under discussion. I suggest that all these questions should be taken up through diplomatic channels.

MOLOTOV—That being so, permit us to turn to the question raised by the Soviet Delegation as to the question of the establishment of the controls—

CONTROL MACHINERY FOR JAPAN

BIDAULT—Yesterday we discussed whether the question of the establishment of an Allied control commission will be put on the agenda.

BYRNES—Yesterday I stated that we ought to have an agreement to refer some subjects to the Council of Ministers for consideration and stated further there could be added matters upon which the Council was agreed—that the Governments were agreed—that this matter is one which was not included in the agenda, which I made no preparation to consider, which my Government has not agreed to put on the agenda, and therefore I am not going to discuss its being placed on the agenda; for placing the matter on the agenda pre-

supposes action, and I am not prepared to discuss the matter, and therefore any action taken upon it at this meeting.

Molotov—Mr. Byrnes is right when he says that we should put questions on the agenda by our mutual agreement. This is what I am asking for, I am asking for this mutual agreement to place this question on the agenda. But I feel that the reservation entered by Mr. Byrnes is not fully justified. Mr. Byrnes asserts that if we place a certain question on the agenda that will presuppose an action, a decision, but I do not feel that by placing on this agenda we would have to accept some detailed decision on the question. We could well discuss this question and then continue its discussion later, but in my view this question is much more urgent than all the questions on the agenda we are discussing now. Yesterday Mr. Byrnes inquired whether we read the statement made by President Truman concerning the policy toward Japan. But yesterday I had to say that I had not read that statement. Now I am able to state that I have read the statement. Mr. President has made a statement on the policy of the United States of America toward Japan, but I wonder what happens if tomorrow, for instance, Mr. Attlee, then General de Gaulle, and perhaps in a day or two Generalissimo Chiang Kai-shek or Generalissimo Stalin makes a similar statement. It may well happen there will be a difference of opinion in their statements, and I wonder if that will be a good thing. It may be that the American Government have consulted, say the Government of Great Britain, the Government of China, in drawing up this statement; but the Soviet Government have not been consulted by anyone, and consequently we are not bound by any common policy toward Japan. The question arises of the sort of policy being pursued now toward Japan—whether this is the policy of the Allies or is it a different policy that is being pursued irrespective of the views and wishes of other Governments. We have agreed views as regards the policy being pursued toward Japan. I have in mind the Order No. 1 issued by General MacArthur after consultation with the Soviet and other Governments.²⁰ We have also the act of surrender of Japan signed also by the Soviet Government and other Governments, and these acts constitute a good basis for an agreed policy toward Japan. If we compare the act of surrender for Germany signed on the 8th of May with the act of surrender of Japan,²¹ of the Japanese armed forces, we shall see that the act of surrender for the Japanese armed forces refers to the surrender of the Japanese forces to the Allies in more definite terms.

²⁰ Regarding General Order No. 1, see footnote 89, p. 338.

²¹ For texts of the acts of military surrender for Germany signed at Rheims, May 7, 1945, and at Berlin, May 8, 1945, see Department of State *Bulletin*, July 22, 1945, pp. 106-107. For facsimile of the instrument of surrender for Japan, signed in Tokyo Bay, September 2, 1945, see *ibid.*, September 9, 1945, pp. 364-365.

Nevertheless, when the act of surrender for Germany was being carried out, German troops were taken prisoner by the Allies, whereas in Japan when the act of surrender was being put into effect the Japanese armed forces were not taken prisoner by the Allies. Only the Soviet armies took the Japanese armies prisoner in the territories which they had taken. I have said that there are two basic acts concerning the surrender of Japan. The first is the Order No. 1 of General MacArthur, and the second is the act of surrender for Japan. In virtue of these two acts, the Allied Commander-in-Chief is obliged to take the Japanese officers and soldiers prisoner, but it is only the Soviet armies that are doing this whereas the Allied armies for some reason have not done the same, and I think that we ought to carry out what we all have decided. The Japanese soldiers and officers have been returned to their homes, but they constitute a ready and trained military force. The Japanese guard ammunition dumps, but they are not our friends to whom we can entrust this. The Japanese openly say that they are keeping big steel industries, and civil aviation. The Americans do not close them. The Japanese continue to maintain large numbers of *gendarmes* and police and no one is interfering with this. The Soviet Government has fears that such a situation is dangerous, that it is likely to lead to the renewal of the Japanese aggression in the near future. The Soviet Government cannot bear the responsibility for this situation before the public opinion of the world.

That is why the Soviet Delegation asks that this question be placed on the agenda at the present series of meetings of the Council of Foreign Ministers, that it be not postponed, that it be examined. In this connection we suggest that we should discuss here the establishment of a control council in Japan composed of Allied representatives. We practically suggest the same as was suggested in the Memorandum of the British Government which was sent to the Soviet and the United States Governments about four weeks ago.²² The Soviet Delegation suggests that this question be placed on the agenda, not necessarily today, but after the discussion of all other questions has been completed, and I hope that Mr. Byrnes will be no less informed in regard to these questions than any one of us.

WANG—The Chinese Delegation were much interested yesterday in listening to the Soviet proposal to place questions relating to the control of Japan on the agenda of the present conference of Foreign Ministers and to the comments made by other delegations on it. Our own view is that in principle they see no difficulty in endorsing the proposal since it is their understanding that the Council of Foreign

²² For text of the British proposals for post-surrender control of Japan, see *aide-mémoire* from the British Embassy, August 30, vol. VI, section under Japan entitled "Surrender of Japan . . .", Part I.

Ministers is competent to discuss any question which may be agreed upon by its members.

The questions relating to the control of Japan during the period of military occupation are certainly of great importance to peace and security in the Far East. At the same time, the Chinese Delegation realize that these questions are of wide range and complex in character. We are of the opinion that whether the conference of Foreign Ministers at this stage of its work can give them its full attention and whether it would be more advisable to take them up for discussion at another session, require careful consideration. We have no objection, however, to the questions being considered at this session if all the other delegations favor it.

In regard to the situation in Japan, the Chinese Delegation believe that the conditions under which General MacArthur has been working to carry out his mission are exceedingly difficult. He has to disarm an army of considerable size which remained intact at the time, and this task is still under way, though good progress has already been achieved. We share the view of the Soviet Delegation that the principal Allied Powers must take such political, economic, financial and other measures in Japan as will bring about the complete annihilation of Japanese militarism and the creation of conditions which would eliminate every possibility of a new aggression on the part of Japan. We were gratified to hear at Monday's meeting a reaffirmation of this aim in the instructions of President Truman to General MacArthur referred to by Mr. Byrnes, although we on our part had entertained no doubt about it. For it was clearly outlined in the Potsdam Declaration of July 26, 1945, addressed to Japan by China, the United States and the United Kingdom, and subscribed to by the Soviet Union.²³

But to achieve this purpose calls for the formulation of policies and devising of measures based upon the principles enunciated in the Declaration. This task can be best accomplished by an Allied body composed primarily of the Powers which played a leading part in the war with Japan. Normally this body should be established in Japan. But in view of the special conditions under which the Allied military occupation of Japan has been effected and the fact that the disarming of the Japanese army in Japan has not yet been completed, the Chinese Government readily accepted the proposal of the United States Government to set up an Allied advisory body in Washington for the purpose. This acceptance was prompted by a

²³ For text of the proclamation calling for the surrender of Japan, approved by the heads of Government of the United States, China, and the United Kingdom, July 26, 1945, and later subscribed to by the Soviet Union, see *Conference of Berlin (Potsdam)*, vol. II, pp. 1474-1476.

desire to try a new experiment of Allied cooperation in the case of Japan in view of the problems confronting the inter-Allied Control Commission in the case of Germany.

This is, however, without prejudice, in the view of the Chinese Government, to the adoption of a new course of action if experience in the future should point to such a need. For this reason, the Chinese Government desires to see the aforesaid inter-Allied advisory body set up as soon as possible in order that inter-Allied consultations on necessary measures of various kinds, such as political, economic, financial, etc., could be put into effect without delay. The results of such a procedure can be reviewed from time to time to determine whether it serves the united aim and purpose upon which the Allied Powers have agreed in regard to Japan, or whether a different type of control machinery should be set up in its place.

BIDAULT—Any further comments? The question is whether this matter will be placed on the agenda.

BEVIN—I am not in a position to give an answer. I am opposed to putting it on the agenda in view of the difficulties that have arisen in regard to procedure. The other countries affected would be excluded.

MOLOTOV—How are we to find a way out, and to safeguard concerted policy of the Allies toward Japan? It seems to me that we have got to do our best to have a concerted policy toward Japan. My understanding of the statement made by the Chinese Minister for Foreign Affairs was that China is in sympathy with the proposal that this question be included on the agenda in this series of meetings of the Council of Foreign Ministers, and I want to recall that China and the Soviet Union are nearest to Japan and we are interested in this question, and we are anxious to see that this question be agreed upon between the Allies. Is it really impossible to achieve this, and is it really possible that any question of procedure may interfere with it?

WANG—The Chinese Delegation has no objections to taking this up at this session if all the delegates are in favor of this.

BIDAULT—As regards the French Delegation, I have already stated that it will not intervene in questions of procedure, and therefore we adopt the same attitude as the Chinese Delegation. I do not object to placing any question on the agenda, including the one now before us. The Council is sovereign in the matter of its agenda, but naturally this takes mutual agreement, and therefore we have to determine whether such agreement exists. Personally I have some doubts about this.

MOLOTOV—What shall we state to the press with regard to the discussion on this question.

BEVIN—Nothing.

MOLOTOV—We shall keep it secret? The question is whether everybody agrees to this.

BIDAULT—There is a committee to decide what goes in the communiqué.

BYRNES—I thought that communiqués were to be limited to decisions or announced decisions. I think it ought to rest with the Communiqué Committee to consider the question of whether to include in the communiqué an announcement of a discussion on whether a question should go on the agenda. Mr. Chairman, as I first said, I believe that the press committee is responsible for deciding what should appear in the communiqué.

BIDAULT—It goes without saying that this should be done.

MOLOTOV—I agree with any recommendation that may be made by Mr. Byrnes.

BYRNES—On what subject?

MOLOTOV—On whether anything will be mentioned in the communiqué or not.

BYRNES—I have in mind that the Communiqué Committee will consider this without interrupting our consideration of matters on the agenda. The agenda does not show at this stage any discussion by the Communiqué Committee. It has several items and should be considered in the order in which they appear. I cannot agree for a change of the agenda to hear a Communiqué Committee at this time, but will be glad to when the time arrives.

BIDAULT—That was decided. We are to pass on to Paragraph 7 on Austria, or shall we do this at the afternoon's meeting?

BEVIN—Is there any report on Austria?

BIDAULT—There has been no meeting of the Deputies this morning. I ask that this question be examined at this afternoon's meeting.

The meeting adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twenty-First Meeting of the Council of Foreign Ministers, Lancaster House, London, September 25, 1945, 4 p. m.

C.F.M.(P) (45) 21st Meeting

PRESENT

U.K.
Mr. Bevin (Chairman)
Sir R. I. Campbell
Sir. A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.
Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.
M. Molotov
M. F. T. Gousser
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand

CHINA

Dr. Wang Shih-Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. AUSTRIA: CENTRAL GOVERNMENT

In view of the decision of the Allied Council for Austria regarding the Conference of Austrian provincial representatives, the Council decided that no further action on their part was necessary at this stage.

2. REPARATIONS FROM GERMANY

The Inter-Allied Reparations Commission should be transferred from Moscow to Berlin.

The Allied Control Council for Germany should be instructed to speed up, with the assistance of the Reparations Commission, the work of drawing up a Reparations Programme—in particular the programme for advanced deliveries—so as to ensure accurate observance of the time-limit set for this by the Berlin Conference.

Discussion of the proposals as regards restitution put forward in the memorandum by the French Delegation (C.F.M. (45) 38²⁴) should be resumed at the next meeting of the Council.

740.00119 Council/9-1145

United States Delegation Minutes of the Twenty-First Meeting of the Council of Foreign Ministers, London, September 25, 1945, 4 p. m.

Mr. Bevin in the Chair

BEVIN—The meeting is opened with the matter of the Austrian Government. The United Kingdom circulated a paper on this.²⁵

MOLOTOV—I think that we can quickly dispose of this because I am in possession now of the rest of the documents on the question of the memorandum from Dr. Renner. It appears that my colleagues are already in possession of these documents. I suggest that we approve the decision adopted by the Allied Control Council as the consultations with Dr. Renner already began yesterday, and therefore I think we should await the results before we deal with the matter.

BYRNES—I agree.

BIDAULT—I agree.

²⁴ September 20, p. 285.

²⁵ C.F.M. (45) 48, September 23, p. 333.

GERMAN REPARATIONS

MOLOTOV—I should like for the Soviet memorandum²⁶ to be taken first. The initiative of raising this question lies with the Soviet Delegation. The Soviet Delegation's proposals are intended to expedite the work of the Reparations Commission and it is obvious that this rests not only on the Reparations Commission but also on the Control Council as well. In this connection we suggest that the Reparations Commission should be transferred from Moscow to Berlin, and that this Commission should work in the same place as the Control Council. We have understood that this was also the wish of the American and British representatives on the Commission, and if I am not mistaken also of the French Delegation. We are ready to agree. As you will recall, the Berlin Conference decided that the plan for reparations from Western Europe for Germany should be drawn up not later than within six months. Since that time almost two months have elapsed, but no progress has been made. Therefore we feel anxiety that this fulfilment of this task is being enormously delayed, and that the fulfilment of the Berlin Conference by the date laid down by it is not too sure. It is natural that time limits proposed by us cannot be considered as final, but I think in view of expediting the work of the reparations it is obvious that we by our common efforts can ensure the dates and measures set in order to expedite the settlement of the matter.

BIDAULT—I have some observations to make, but I can deal only with the essential part now. The French Government welcomes any proposal likely to lead to an acceleration to the procedure for reparations which hitherto had been too slow—the place where this will take place does not matter to us. We have no objection to Moscow, none to Berlin. What is important is that there should be a prompt and good settlement. The French Government recalls that the Potsdam Protocol provides for deliveries to be made from the western zones in general and the French zone in particular, and without the French Government having been called upon to agree either on the amounts or on the principle. With the problems that are essential for France, the French Government thinks that the solution of these problems concerning assets in the western zones and in particular in the French zone cannot be carried out without consultation with the French Government. The French Government cannot adhere to the Potsdam Protocol unless these conditions are fulfilled:

1. Steps should be taken as soon as possible and in any case not later than the 1st of November, 1945, in order to conserve or identify

²⁶ For text of the Soviet memorandum on reparations from Germany, see C.F.M.(45) 15, September 14, p. 175. Memoranda on this subject were submitted by the French delegation (C.F.M.(45) 38, September 20, p. 285) and by the United Kingdom delegation (C.F.M.(45) 45, September 22, p. 325).

and obtain restitution of any goods or property stolen by Germany on the territory of the United Nations during the period of occupation and found now in any part of German territory or any other territory. The Commissions named by the Governments of the United Nations should have full facilities and access for such conservation and identification. What happened was this. In French factories machines were stolen, and stolen by force, during the period of occupation and the question which arises is this: are these to be used for reparations for all or, as it seems to us, and this is in conformity with international law, should these machines be restored to their legitimate owners, in this case the French State, the reparations being made by purely German assets. Reparations should only be made by German assets and not French. In other words, reparations must be levied on German property, not on property stolen from the Allied nations by Germany. Reparations must be made on enemy property and not on property the enemy stole.

2. The second point I wish to make is this: the property to be restored includes all the property rights and interests that have been stolen in the terms of our Declaration of January 5, 1943. This includes securities which Allied Governments and nationals have been obliged by the German authorities to give up. As to the carrying out of this essential part of this program, the appropriate procedure will have to be adopted in order to determine whether any particular item is German or Allied, and of course only German property can be given as reparations to any of the United Nations.

3. The third conditions of our adherence to the Potsdam Protocol is that the gold, precious metals and works of art, and all objects which are unique in themselves, when they are not to be found, be replaced by equivalent objects taken from any part of Germany. Finally, if it is recognized that the decision is going to be taken concerning advance deliveries, the French Government asks that in this respect it be treated not less favorably than the most-favored nation.

BYRNES—I have just said to my colleagues that the Nazis did so many things that are now presented to us as controversies to be decided that it will be surprising if the patience of the representatives of the Allied Nations can really stand up under the settling of these disputes. As I understand, one question raised by the French Committee relates to copper mine securities that were required by the Germans to be sold; the mines were then worked by the Germans, and then captured by the Yugoslavs. Now the question is, who owns the mines, and who has the right to operate them. I just don't see how we are going to be able to work out the problems of that kind at this table. It is going to require some group having a lot of time and experts to sit down and work it out. I agree with the general principle that where there is positively identified property of an individual, that individual ought to receive the property. I understand there are questions of the owner having been paid for his property, paid in German marks but still paid, and the question is what are we going to do about the amount of money that he got and with which

he could have bought something else. I was hoping that the Reparations Commission could decide that matter. Turning to Mr. Molotov's suggestion, I am satisfied that much of the delay in the determination of German reparations has been due to the fact that the Reparations Commission was at Moscow and the Control Council in Berlin. Last week Mr. Molotov mentioned to me this matter of the delay and I immediately communicated with the State Department, urging that steps be taken to have the Reparations Commission move to Berlin, and that steps also be taken to ensure that the decisions taken at Potsdam are applied.²⁷ I am in receipt of a reply that there was going to be established this week an inter-Allied Allocations Committee, and that it would go to work in Berlin within two weeks. I am advised that my request that this work be pressed has been communicated to our representatives and that the Department would learn through the War Department every two weeks as to the progress that is achieved in working out the settlement. Our representatives still express the opinion that the agreement can be complied with.

BEVIN—I think the first point for taking a decision is that of the Commission being transferred to Berlin. Everybody seems to agree to that. That is part of the Soviet proposal. The next point is the date. The Soviet proposal is December 1. The Potsdam Declaration has it after six months.

BYRNES—I wish to adhere to the Potsdam decision.

MOLOTOV—When we indicated the December 1 date to be laid down for the work of the Allied Council and the Reparations Commission we did not depart from the decision of the Potsdam Conference. The fact should be borne in mind that in accordance with the terms of the Potsdam decision the final decision rests with the Commander-in-Chief and he should be given some time to make his decision. Therefore, we think that between the 1st of December and the 1st of February there will be ample time to enable the Commander-in-Chief of the affected zone to make final decision. That is why I suggested December 1 to be laid down as the date to finish the work of the Reparations Commission. But at present the Soviet Delegation looks at the fact that our meetings have dragged out enormously and all of us are interested in expediting our work, and therefore I would like to

²⁷ The Secretary of State's communication to the Department referred to here presumably is telegram 9582, September 18, 10 a. m., from London, not printed; the Department replied to this communication in telegram 8195, Seidel 84, September 19, 8 p. m., to London, not printed. The Secretary's remarks in the remainder of this paragraph are apparently based upon information supplied in the Department's telegram. In point of fact, the Inter-Allied Reparations Agency (the eventual name of the body referred to by the Secretary as the "inter-Allied Allocations Committee") eventually met in Paris and not in Berlin. For documentation regarding the reparations negotiations and the establishment of the Inter-Allied Reparation Agency, see vol. III, pp. 1169 ff.

make a short suggestion. I want to present a new proposal of the Soviet Government consisting of only two paragraphs in Russian, which I shall have translated. Here is the proposal of the Soviet Delegation: 1. That the Allied Reparations Commission should be transferred from Moscow to Berlin. 2. The Allied Control Council should be instructed to speed up, with the assistance of the Reparations Commission, the work of drawing up the reparation program and in particular the program for advanced deliveries so as to ensure the accurate observance of the date laid down by the Berlin Conference.²⁸

BEVIN—I should ask Mr. Molotov, do these two resolutions take the place of the old one?

MOLOTOV—Yes. I withdraw the question of when the exact dates are and what remains is only the condition that the date laid down by the Berlin Conference should be observed.

BEVIN—Now, I would like to ask a question as to whether it would not be wise for us to say a few words about the Allied Commission and the Control Council. I make this suggestion however. The Allied Commission on Reparations will meet to decide questions of policy and the function of the Control Council is to determine the equipment available for reparations in accordance with what is laid down by the Allied Commission. If they were divided in that way, we should not then have another delay to argue as to what they should do.

BYRNES—In the Potsdam Agreement there was language which seeks to define the duties of the Commission and the Council, and I don't think what you suggested is any different. I think we should stand by the Potsdam Declaration. I fear some of the delay has been due to arguments of procedure and about the jurisdiction, and if they have those arguments now settled and we give them new language we will start them off on another delay.

BEVIN—Just let me clear this up. I have been informed that this has been one of the causes of delay of the interpretation of the document. I don't want to delay arguing about the difficulty, and I just wanted to know whether it was all right to move them to Berlin. (Addressing M. Bidault) I will come to your point presently.

BIDAULT—Of course, I would like to say for us that I am not bound by the decisions the others feel are binding on them because France is not a party to them. This, of course, does not mean that I ignore the services rendered by the Conferences at which France was not present, but there was a general agreement signed on January 5, 1943, and I think that the parties represented here adhere to it. That would be the common law in this case. This means in

²⁸ The proposal of the Soviet delegation, with only very minor variations in language, was circulated to the Council as C.F.M.(45) 53, September 25, 1945. (Council of Foreign Ministers Files: Lot M-SS: CFM London Documents)

particular that as far as reparations in Germany are concerned, these reparations should be levied out of German property and not out of Allied property stolen by Germany. According to the declaration of January 5, 1943, therefore, reparations must be levied on German property and not on property stolen by the Germans. In order to avoid this, the French Delegation thinks that restitution, which has already been delayed, should start as soon as possible and that reparations should be levied on German property and not Allied property. I would therefore propose to add a few words to the Soviet text. I would like to suggest that in line 4, paragraph 2, after the words "in particular" add the words "the problem of restitution".

Molotov—I would like to say that the problem of restitution raised by M. Bidault is an important problem but this problem calls for special study, and it is a complex problem. This problem was not to be considered, and it seems to me that we are unable to consider this problem here in connection with reparations as this problem in my mind calls for a special examination, as it is necessary in the interests of all for restitution to be settled. It is well known that there is a declaration of January 5, 1943 concerning the property and rights of the United Nations. The French Delegation adheres to the terms of this declaration, and so do we all. If the French Delegation submits their proposal concerning this question, then the Soviet Delegation will take part in its examination. If M. Bidault fears that some French property may be accounted as reparations, I think that we should bear in mind such cases and think they should be avoided. I think that France has every opportunity of obviating such cases which may be undesirable to her. We also have such an opportunity, and now I want to point out wherein they lie. It is well known that the policy of reparations in regard to Germany should be laid down by the Reparations Commission on which all of our States are represented. The amount and character and nature of reparations should be determined by the Control Commission, on which all of our States are represented. Hence if the property of France or the Soviet Union, the United States of America or Great Britain is removed in reparations, the representatives of the Governments of those countries may raise this question and place on record their disagreement. And according to the terms of the Berlin decision this question will not be settled without France and, on the contrary, they will be settled with her participation; and my suggestion is that we examine the question of restitution separately from the question of reparations when any one of us brings this question up for discussion. And now we should confine ourselves to adopting a decision on reparations only.

BIDAULT—I want to speak in concrete terms. Reparations can be levied on a certain number of things to be found, whether in German territory or in territory of neighboring countries at present occupied by the Allies. These things are either German or have been stolen by the Germans. The thing I ask is that before or at the same time as reparations are being settled we should have some means to distinguish between them and stolen property. I don't think it is impossible for us to settle these two questions together. I will give you an instance. In a factory in one of the suburbs of Paris a machine was taken away by the Germans by force. With much force as you might have reason to know very well as three of our men died in defending it. Is that machine to be part of the reparations or will it be the subject of restitution? There can be no question about it.

BEVIN—Is there any opposition to that principle?

MOLOTOV—It is a question of its being placed on our agenda. We have not got it down on our agenda. Let us discuss the question separately. We are all interested in settling this question, but it is not prepared for settlement.

BEVIN—What I wanted to suggest to our friend was: is the principle of restitution accepted? If it is, the problem should be referred for immediate and special study. That is what has been suggested.

MOLOTOV—The basis is the declaration of January 5, 1943. Is this the basis?

BEVIN—I don't think there is any objection to their resolutions 1 and 2. As the French have no chance to raise this point, they have decided to raise it now.

MOLOTOV—Can't we discuss it separately?

BIDAULT—I think that there are two questions that are connected. I have said several times that we would not delay the work of the Conference on procedure, and therefore though I consider the two problems to be closely connected, once again I accept the suggestion that has been made that the question be discussed separately. I hope that the sacrifices we are making will be recognized. It must be well understood, however, that the reparations to which the various United Nations are entitled are not stolen property and it seems elementary that before taking reparations there should be withdrawn the property that has been stolen. If it is a question of procedure I would agree to make sacrifices, and I may be called upon to accept a few more. It is obvious, however, that it must be on the understanding that the other question raised will be discussed immediately after this one.

BEVIN—Can it be agreed that if we agree to this resolution we go straight on to the question of restitution?

MOLOTOV—Perhaps in order to get ready that may be done tomorrow. Perhaps someone will make proposals. I am ready to dis-

cuss the French draft,²⁹ but I should like to ask that that be done tomorrow.

BIDAULT—Almost a week ago we circulated a text stating all this before starting to work on reparations. We must know what is German and what is not German.

BEVIN—Was that accepted that we discuss that note tomorrow? (There was no objection.)

BEVIN—Then there was the point I put as to whether the question of policy and action should be cleared up. If something could be put on record guiding the Reparations Commission as to what they have got to do; I don't ask a formal decision. I suggest that the Reparations Commission be responsible for policy but that the Control Council be responsible for determining the character of the property to be taken.

BYRNES—The Potsdam Agreement provided that the determination of the amount and character of the equipment unnecessary for the peace economy, and therefore available for reparations, shall be made by the Control Council under policies fixed by the Allied Commission on Reparation with the participation of France and subject to the final approval of the Allied Commander in the zone. I thought there had been delays due to the different interpretation of that, but I understand now they are about settled and I am afraid that if we introduce new language that is practically the same it might just re-open the question.

BEVIN—If everybody says it is settled, I don't need to bother. It's very refreshing to find something settled and these settlements take so long to percolate through that they have not reached the United Kingdom Delegation. Well, that is agreed now, is it? We adopt the short draft of the Soviet draft and we take up the problem of restitution tomorrow.

(It was agreed to hold the next meeting at 11:00 the following morning.)

740.00119 Council/9-2745

*The British Prime Minister (Attlee) to President Truman.*³⁰

[LONDON, September 25, 1945.]

No. 12. Reference my No. 11.³¹ Following is text of reply received from Premier Stalin.

²⁹ Apparently reference is to the French memorandum C.F.M.(45) 38, September 20, p. 285.

³⁰ Unsigned copy transmitted to the Acting Secretary of State by British Chargé Balfour on September 27, 1945.

³¹ September 23, p. 331.

Begins.

I have received your message concerning disagreements in regard to the Council of Ministers.

The position of M. Molotov in this matter is determined by the necessity of accurately carrying out the decision of the Berlin Conference which is clearly set forth in paragraph 3(B) of the decision regarding the Council of Ministers. The decision taken by the Council of Ministers on September 11th is unacceptable as it conflicts with this decision of the Berlin Conference.

It is thus a question not of the procedure of work of the Council of Ministers but of whether the Council of Foreign Ministers has the right to waive particular points in the decisions of the Berlin Conference. In my opinion we should deprive the Berlin decisions of value if we admitted for a moment the right of the Council of Foreign Ministers to waive these decisions.

I consider that to amend the error which has been committed and thus to reinstate the decision of the Berlin Conference as urged by M. Molotov cannot give rise to a negative attitude towards the Conference and the Council of Ministers and can be offensive to nobody.

Ends.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the Chinese Delegation to the Council of Foreign Ministers

C.F.M. (45) 52

LONDON, 25 September, 1945.

ALLIED CONTROL MACHINERY IN JAPAN

The Chinese Delegation were much interested yesterday in listening to the Soviet proposal ³² to place questions relating to the control of Japan on the agenda of the present conference of Foreign Ministers and to the comments made by other delegations on it. Their own view is that in principle they see no difficulty in endorsing the proposal since it is their understanding that the Council of Foreign Ministers is competent to discuss any question which may be agreed upon by its members.

The questions relating to the control of Japan during the period of military occupation are certainly of great importance to peace and security in the Far East. At the same time, the Chinese Delegation realize that these questions are of wide range and complex in character. They are of the opinion that whether the conference of Foreign Ministers at this stage of its work can give them its full attention and whether it would be more advisable to take them up for discussion at another session, require careful consideration. They

³² Memorandum by the Soviet delegation, C.F.M. (45) 49, September 24, p. 357.

have no objection, however, to the questions being considered at this session if all the other delegations favour it.

In regard to the situation in Japan, the Chinese Delegation believe that the conditions under which General MacArthur has been working to carry out his mission are exceedingly difficult. He has to disarm an army of considerable size which remained intact at the time, and this task is still under way, though good progress has already been achieved. We share the view of the Soviet Delegation that the principal allied powers must take such political, economic, financial and other measures in Japan as will bring about the complete annihilation of Japanese militarism and the creation of conditions which would eliminate every possibility of a new aggression on the part of Japan. We were gratified to hear at Monday's meeting a reaffirmation of this aim in the instructions of President Truman to General MacArthur referred to by Mr. Byrnes, although we on our part had entertained no doubt about it. For it was clearly outlined in the Potsdam Declaration of 26th July, 1945, addressed to Japan by China, the United States and the United Kingdom, and subscribed to by the Soviet Union.

But to achieve this purpose calls for the formulation of policies and devising of measures based upon the principles enunciated in the declaration. This task can be best accomplished by an Allied body composed primarily of the Powers which played a leading part in the war with Japan. Normally this body should be established in Japan. But in view of the special conditions under which the Allied military occupation of Japan has been effected and the fact that the disarming of the Japanese army in Japan has not yet been completed, the Chinese Government readily accepted the proposal of the United States Government to set up an Allied advisory body in Washington for the purpose. This acceptance was prompted by a desire to try a new experiment of Allied co-operation in the case of Japan in view of the problems confronting the inter-Allied Control Commission in the case of Germany.

This is, however, without prejudice, in the view of the Chinese Government, to the adoption of a new course of action if experience in the future should point to such a need. For this reason, the Chinese Government desires to see the aforesaid inter-Allied advisory body set up as soon as possible in order that inter-allied consultations on necessary measures of various kinds, such as political, economic, financial, etc., could be put into effect without delay. The results of such a procedure can be reviewed from time to time to determine whether it serves the united aim and purpose upon which the Allied Powers have agreed in regard to Japan, or whether a different type of control machinery should be set up in its place.

740.00119 Council/9-2645

*Memorandum of Conversation, by Mr. Charles E. Bohlen, Special
Assistant to the Secretary of State*

[LONDON,] September 26, 1945—10 a. m.

Participants:

The Secretary
Mr. Dunn
Mr. Bohlen

Mr. Molotov
Ambassador Gusev
Mr. Pavlov

Mr. Bevin
Sir Ronald Campbell
Mr. Dixon
Mr. Payton-Smith

THE SECRETARY said he had asked for this meeting to have another discussion in regard to the question of procedure. He said President Truman had told him that he had had a message from Marshal Stalin³³ in which the latter fully supported the position taken by Mr. Molotov; however, President Truman was of the opinion that it would be unfortunate if the Council should suddenly reverse its procedure and hoped something could be worked out here. The Secretary added that he felt that since our Three Heads of State had been unable to agree on this, it was up to the Foreign Ministers here to try and find a way out. He would therefore like to know if Mr. Molotov had any suggestions.

MR. MOLOTOV replied that his suggestion remained the faithful execution of the Berlin agreement. He said he wanted to add that his Government had been greatly surprised at the attitude of the United States and British Governments in regard to the control commission for Japan. He said his Government wondered whether their representatives in Japan were needed any longer, and whether they should not be recalled.

THE SECRETARY replied that last Saturday when Mr. Molotov had talked to him about a treaty he had explained to him as he understood it, the present situation in regard to Japan. He said that he had already repeated a number of times that he had no authority to take any decision in regard to Japan at the Council of Foreign Ministers; that he did not have the necessary experts or materials here, and that he did not contemplate attempting to get President Truman's views during this session. He added, however, that he had made it plain that he would be glad again to discuss in full with Mr. Molotov the entire Japanese question.

MR. MOLOTOV replied that he had not posed a formal question, but that they were unable to understand why it was impossible to discuss this question during this meeting. He inquired whether or not the one to two billion dollars of gold which the newspapers said the Americans had found in Japan had anything to do with this situation.

³³ Apparently reference is to message of September 24 from Marshal Stalin to President Truman, p. 334.

THE SECRETARY replied that he had never heard of any such gold, and that Mr. Molotov should know from his experience with Americans that if any gold or similar valuables were taken by the United States forces in Japan a strict accounting would be made of it.

MR. MOLOTOV replied that in Europe they had had an understanding about the disposal of German gold.

THE SECRETARY repeated that he had felt he had explained our point of view to Mr. Molotov, but would be glad to talk with him further.

MR. BEVIN remarked that in regard to Japan the British Government had no objection to discussing the question of the control council, but it had not wished to do so within the narrow limits of the present Council since some of the Dominions, and in particular, Canada and Australia, who were Asiatic powers, had made strong representations concerning their right to participate in any such talks.

THE SECRETARY added that in regard to Mr. Molotov's statement about making Japanese soldiers prisoners, that in Article VIII of the Potsdam Declaration which was signed by the U.S., China, and Great Britain, and subsequently adhered to by the Soviet Government, and which in fact had formed the basis of Japanese surrender, it was expressly stated that the Japanese troops should be demobilized and allowed to go home. He said that he must state that the United States considered itself bound by that provision.

MR. MOLOTOV said the Soviet Union had agreed to the Potsdam Declaration, but there had been subsequent instruments, namely, Order No. 1, and the Act of Capitulation, which he felt had equal, if not greater, validity. He said the actual terms of surrender were more severe than in the case of Germany, and that in taking the Japanese prisoners in Manchuria, the Soviet Government felt that they were supporting and not violating these agreements.

The meeting then turned to the question of procedure.

THE SECRETARY read his informal proposal (copy attached), and added that, although he had not put it in writing, he envisaged that the three Foreign Ministers of the U.S., U.K., and U.S.S.R. could meet either before or during the Conference in accordance with the provisions of the Berlin Agreement and discuss a common position in regard to these treaties. He pointed out that paragraph 5 of his proposal suggested a conference of all nations at war with the respective satellite countries for consideration of the treaty. He felt that this should be done, since we were obligated to submit these treaties to all such states in any case, and it would be better to do it once and for all in a conference. He said he had not put that in writing as he did not wish to emphasize the special position of the Big Three.

MR. BEVIN said that he had not had time to study this, but that he thought it had merit. He also agreed that it was a mistake to emphasize publicly in any way the position of the Big Three.

MR. MOLOTOV said he would study the proposal.

Before leaving, Mr. Molotov again reverted to the question of Japan, and asked whether there was any point in the Soviet Union's leaving its representatives in Japan at the present time. He said he had in mind General Derevyanski³⁴ who had signed the surrender for the Soviet Union and had stayed on in Japan.

[Annex]

Informal Proposal by the Secretary of State

[LONDON, September 26, 1945.]

1. The Council will conclude its present agenda in accordance with its present procedure. Further action in relation to treaties of peace would be confined to a directive to the Deputies to consider and report on possible terms of peace with Hungary which would reflect in so far as relevant, principles already authorized in relation to Rumania and Bulgaria.

2. The Deputies of France, the U.K., U.S.S.R. and U.S.A. will be instructed to make a provisional draft of text of treaty with Italy, in so far as this is possible in the light of directives heretofore given them.

3. The Deputies of the U.K., U.S.S.R. and U.S.A. will be instructed to make a provisional draft of text of treaty with Rumania, Bulgaria and Hungary, in so far as this is possible in the light of directives heretofore given them.

4. The Deputies of the U.K. and U.S.S.R. will be instructed to make a provisional draft of text of treaty with Finland, in so far as this is possible in the light of directives heretofore given them.

5. The next session of the Council will be a conference convoked by the Council under the provisions of II, 4(ii) of the Potsdam Agreement for the purpose of considering treaties of peace with Italy, Finland, Rumania, Bulgaria and Hungary. The Conference will, in relation to the particular treaty of peace in question, consist of the five members of the Council together with such of the other United Nations as have been at war with the enemy state in question. The Conference will be held at London and will begin its proceedings not later than November 15, 1945. It will take, as the bases for its deliberations, the reports of the Deputies with any modifications agreed upon by the Governments of the Deputies in question.

6. A communiqué summarizing the conclusions of the present session of the Council of Foreign Ministers will be prepared by repre-

³⁴ Lt. Gen. Kuz'ma Nikolayevich Derevyanko, head of the Soviet delegation to the signing of the Japanese surrender, September 2, 1945. Derevyanko was withdrawn from Japan on October 5, 1945.

sentatives of the five Foreign Ministers and issued under the authority of the five Ministers.

Council of Foreign Ministers Files: Lot M-88: CFM London Decisions

Record of Decisions of the Twenty-Second Meeting of the Council of Foreign Ministers, Lancaster House, London, September 26, 1945, 11 a. m.

C.F.M.(P) (45) 22nd Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov (Chairman)
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih-Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Victor Hoo	
M. Alphan	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

1. PRESS COMMUNIQUÉ ON 20TH AND 21ST MEETINGS ³⁵

M. MOLOTOV drew attention to the communiqué on the work of the Council on 25th September, which read as follows:—

“The Council of Foreign Ministers met twice to-day (Tuesday), M. Bidault presiding in the morning and Mr. Bevin in the afternoon.

The Council continued its consideration of the memorandum by the Soviet Delegation on the acceleration of the repatriation of Soviet nationals and the repatriation of French nationals from areas under the control of the Soviet Government.

The Council also examined proposals put forward by the Soviet Delegation for expediting the work of the Reparations Commission. A French memorandum on restitution was also discussed.

The next meeting of the Council will be held at 11 o'clock to-morrow (Wednesday) morning”.

M. MOLOTOV said that the Soviet Delegation regarded this as inaccurate and proposed that a revised communiqué should be issued in the following terms:—

³⁵ At their 28th meeting, September 29, 1945, the Council reviewed this record of decisions and agreed that on this subject the Record of Decisions should be revised to read as follows: “M. Molotov proposed the issue of a revised communiqué on the work of the Council on the 25th September. The Council were not agreed on the advisability of publishing a communiqué revised and agreed by the Council.” This text of the revised record quoted here is from the British minutes of the 28th meeting (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes).

"In view of the fact that there were inaccuracies in the communiqué of 25th September, it was decided in the Council of Foreign Ministers to publish instead of the said communiqué the following communiqué:—

[']The Council of Foreign Ministers met twice today. M. Bidault presided at the morning meeting and Mr. Bevin at the afternoon meeting. The Council continued its discussion of the proposal of the Soviet Delegation to bring up for its discussions the question of setting up an Allied Control Council in Japan.

The Council examined and approved proposals for the acceleration of the repatriation of Soviet nationals. The Council also accepted the proposals of the Soviet Delegation for speeding up the work of the Reparations Commission. It was decided that the memorandum of the French Delegation on restitution should be considered at the next meeting[']."

After discussion, it was agreed that, if any revised communiqué was to be issued, the text should read as follows:—

"The Council of Foreign Ministers today considered the communiqué of 25th September and decided to publish the following amended text which represents more accurately the decisions taken at their meetings yesterday.

The Council of Foreign Ministers met twice on 25th September. M. Bidault presided at the morning meeting and Mr. Bevin at the afternoon meeting.

The Council examined proposals for the acceleration of the repatriation of Soviet nationals. The Council accepted the proposals of the Soviet Delegation for speeding up the work of the Reparations Commission in Germany. It was decided that the memorandum of the French Delegation on restitution should be considered at the next meeting".

The Council were not agreed on the advisability of publishing a revised communiqué in these terms.

In these circumstances M. Molotov reserved his right to issue a separate statement to the Press giving the Soviet Delegation's account of the proceedings at the Council's meetings on 25th September.³⁶ Mr. Bevin also reserved his right to make a separate statement to the Press.

³⁶ The Moscow newspaper *Izvestia*, the organ of the Soviet Government, carried the following item on September 27, 1945: "In the opinion of circles near the Soviet Delegation, the communiqué of September 25 on the work of the Council of Foreign Ministers in London contained certain inaccuracies, which apparently are to be explained by the haste of publication. This led to the fact, as now explained, that the communiqué of September 25 was not published in the Soviet press. If these inaccuracies are to be rectified, it would be necessary to say that the Council of Foreign Ministers held two sessions on September 25; Mr. Bidault presided at the morning session and Mr. Bevin at the afternoon session. The Council examined proposals for the acceleration of the repatriation of Soviet nationals. The Council accepted the proposal of the Soviet Delegation regarding the acceleration of the work of the Reparations Commission in Germany. It was decided that the memorandum of the French Delegation on restitution should be considered at the next meeting."

2. RESTITUTION

The Council considered proposals by the French and Soviet Delegations regarding the restitution by Germany of property belonging to the United Nations or their nationals.

The Council agreed to resume consideration of this matter at their meeting on the following morning.

740.00119 Council/9-1145

United States Delegation Minutes of the Twenty-Second Meeting of the Council of Foreign Ministers, London, September 26, 1945, 11 a. m.

Mr. Molotov in the Chair

MOLOTOV: M. Bidault may be a little late, but we will not wait for him. First of all, the Soviet Delegation wanted to discuss the communiqué of yesterday. There were certain inaccuracies in it. The Soviet Delegation suggest the following communiqué should be issued instead: (I want to translate the text of the communiqué in English and in Russian).³⁷

(Reads communiqué)

The Soviet Delegation asks that the text of this communiqué be accepted.

BYRNES: Mr. Chairman, I imagine that there is just a real misunderstanding on the question because I objected at the time to the adoption of the resolution unless there was accepted an amendment that I had offered as to the Governments' returning persons considered by their Governments to be nationals of the Soviet Republic. I am perfectly sincere now in stating that my recollection was that Molotov said he was willing that we are to deal with it through diplomatic channels.

MOLOTOV: It goes without saying I am not referring to the protocol. I am referring to the communiqué.

BYRNES: But however the communiqué did make the statement that the language of the proposal was examined and approved by the Council and that is a different understanding as to the action.

MOLOTOV: What would you like?

BYRNES: I have no objection to saying just what did occur: that the discussion continued and that it was disposed of by agreement that it should be taken up through diplomatic channels.

MOLOTOV: That was not the case. That was not the decision that was adopted.

³⁷ Texts of the communiqué which was issued on September 25 on the 20th and 21st meetings of the Council and the revised communiqué proposed by Molotov are contained in the Record of Decisions of the 22nd meeting, *supra*.

BEVIN: Mr. Chairman, at a previous meeting there was a complaint at the Communiqué Committee publishing decisions and I understood that they were not to publish decisions again. On that occasion the communiqué stated that the Council had agreed that they should consider so and so, and Mr. Molotov objected to that and said that the decision should only be recorded at the end. The Communiqué Committee has my sympathy. I think it can scarcely know what to do. But the communiqué drafted by the Soviet Delegation would mislead the public because they would not know what was proposed and what we had approved. I think the difficulty of the Committee is to issue a communiqué which says nothing.

MOLOTOV: The communiqué had already been issued which perverted the situation, and we are not going to leave that communiqué without a denial on the part of the Soviet Delegation. We can now correct the communiqué since it misleads the public.

BEVIN: I suggest that your communiqué would mislead the public as much.

MOLOTOV: I am interested in having a communiqué that would say accurately what decision was taken and there should be no inaccuracy as was the case in the communiqué which was published in spite of the objections of the Soviet Delegation.

BYRNES: Mr. Chairman, this matter of the communiqué which I am reading here for the first time. The communiqué said "the Council continued its consideration of the memorandum by the Soviet Delegation on the acceleration of the repatriation of Soviet nationals, and the repatriation of French nationals through the areas under the control of the Soviet Government.[""] Now, what is wrong with that? What is the fact?

MOLOTOV: I should like to ask that our draft communiqué should be considered sentence by sentence. I leave out the first part, the introduction, which we shall consider at the end. The first sentence begins as follows: "The Council of Foreign Ministers met twice today. M. Bidault presided at the morning meeting." The Soviet Delegation considers that this is the only accurate sentence in yesterday's communiqué. The communiqué reads as follows: "The Council continued its discussion of the proposal of the Soviet Delegation concerning the question of setting up an inter-Allied council in Japan." Are there any amendments?

BYRNES: There is a motion to strike it out.

MOLOTOV: All the newspapers talk about it. I should think we cannot remain silent. I have not in mind the Soviet press but the *Daily Herald* and the *Times*. Their reports are inaccurate.

BYRNES: I object to it for this reason: As I said yesterday and the day before, this matter was not on the agenda and because it was not on the agenda I am not prepared to discuss it. I have talked to my

friend privately about it and explained my situation to him, and when yesterday he again presented the subject I did not discuss it because I had stated twice before that it was useless to discuss it and I had no authority to act upon it, and therefore I did not want the question that is not on the agenda and that is offered for discussion by any one member of the Council under the circumstances I have described to be placed in the communiqué unless both sides of the question are to be presented.

When the question was asked about the communiqué I stated that we should proceed with the agenda, that there was not time to consider the communiqué and what should be placed in it and I understood that there was general agreement. And I submit that when the Potsdam Agreement referred to us certain matters at the same time it gave to us the authority to add other matters if we agreed upon—if the Governments agreed upon them. The Governments have not agreed on that. I think it unwise for us to give to the newspapers that we are suggesting matters that Governments have not agreed to add to the agenda. It will bring about a lot of friction in the Council if each day a member can suggest a matter and discuss it and have the newspapers talk about it when the Governments have not agreed to put it on the agenda. I suggest that if we are going to do that, that we ought to agree that when a matter is not on the agenda if it is to be mentioned in the communiqué that each Delegation be invited to prepare a statement setting forth its views and giving it to the newspapers. I have never yet known the right way—the best way—of handling this press question. I sometimes think we might make a rule and admit the press to the meetings. That would be entirely satisfactory to me rather than to have us have disagreements about what should be given to the press. If we can agree, then it is all right. If we can't agree, then the best thing would be to let them come in. This would avoid these leaks that give to the papers a statement and nobody knows where it came from. In this statement which I read for the first time, there appears in the paper handed by the Soviet Delegation: "The Council examined and approved the proposal for the acceleration of repatriation of Soviet nationals".

MOLOTOV: I should like to ask that we first wind up the sentence under discussion now—second sentence—and then pass on to the next one.

BYRNES: But I add only one thing. Up to this time I have been told that the Soviet representative on the Communiqué Committee objected to printing items that were on the agenda and, therefore, I certainly object to printing stories about items that were not on the agenda.

MOLOTOV: You will recall, Mr. Byrnes, that yesterday we discussed the question whether anything should be published to the effect that

we discussed the question of Allied control for Japan, and I did not press for this, but today all the newspapers report stories about it, and is it convenient for us to say nothing about it now?

BYRNES: I think we must try to agree with each other on these matters. We have had discussions here for several days about this procedure and about the proposal of the Soviet Delegation with reference to the procedure, but nothing was ever put into the communiqué about it.

MOLOTOV: My understanding of this is that you suggest that nothing should be published in the communiqué. If you insist on this I agree that nothing should be said on this subject in the communiqué.

BYRNES: About this proceeding or about Japan?

MOLOTOV: About Japan.

BYRNES: I don't think it should be. I thought the same about the other question. I thought it was better for us not to put it in the communiqué.

MOLOTOV: In view of the objections by you, I withdraw my sentence. Let us pass on to the next sentence: "The Council examined and approved the proposals for the acceleration of the repatriation of Soviet nationals." I suggest that we leave out the words "and approved".

BYRNES: I agree.

(there was no objection)

MOLOTOV: There is no objection that this wording be accepted.

BEVIN: It reads like this: "The Council examined the proposal for the acceleration of the repatriation of Soviet nationals." Is that how it reads now?

MOLOTOV: Yes.

BIDAULT: I would like to add that the question of the repatriation of French nationals of Alsace-Lorraine was postponed by agreement until the next day.

MOLOTOV: This was not on the agenda, and our agreement was that we would not mention matters not contained in the agenda.

BIDAULT: I don't mind if we come to the agreement today. If it is in yesterday's or today's communiqué I don't mind at all.

MOLOTOV: It is this sentence which has just been approved by Mr. Byrnes and Mr. Bevin. M. Bidault has no objection?

BIDAULT: What I attach most value to is not form but the substance of my amendment.

MOLOTOV: The question raised by Mr. Bidault, I suggest that it be recalled in the protocol at the end of this meeting when it will be drafted.

BIDAULT: I wish to make my position quite clear. If the word "approved" were left in the text, then I would have insisted. If the

communiqué did not say that there had been agreement on the Soviet proposals then I would not insist on the French amendment. As I understand that the communiqué without this word was approved, then I shall not insist at this time.

MOLOTOV: "The Council also accepted the proposal of the Soviet Delegation for speeding up the work of the Reparations Committee."

BYRNES: The word "also" would have to come out of that.

MOLOTOV: I agree.

(there was no objection)

BEVIN: That makes a decision again. "Accepted" means that you have decided.

MOLOTOV: You seem to have forgotten, Mr. Bevin, what we discussed in connection with the suggestion as to what should be published, as to what decisions of the Council should be published. My suggestion was only that nothing should be published without the consent of the Council, but when the Council agrees to publish anything, certainly it should be published. Probably it appears that we seem to forget our decision that we adopted more than two weeks ago. The decision adopted with regard to reparations in Germany could be published in full, but in this case the Soviet Delegation does not suggest that this decision should be published in full, but it suggests that only a mention should be made.

BEVIN: I think my friend Molotov is right, of course. My mind is so full of disagreements, I am a little confused.

MOLOTOV: Can we leave the wording of the second sentence as it is now leaving out the word "also"?

BEVIN: The Council accepted the proposal of the Soviet Delegation for speeding up the work of the Reparations Commission.

MOLOTOV: There certainly should be no objection. Now, the last sentence: "The memorandum of the French Delegation on restitution should be considered at the next meeting." By accepting this sentence we depart from our decision not to publish anything not on the agenda. Nevertheless, I think it is possible to accept it provided that my colleagues agree.

BIDAULT: I think that the discussion of this question should be continued. It makes good sense since reparations include quite a series of problems, and one of these in our eyes is that of restitution, and therefore it is not against the agenda to mention that in our communiqué.

BYRNES: Mr. Chairman, I have agreed that it is perfectly justified because reparations from Germany are tied up in it.

MOLOTOV: Many things are linked up with reparations. Had it not been for the war, there would not be any reparations. We leave

that sentence. Are there any suggestions as to revisions to be made in this communiqué? Then I ask that we turn to the first sentence of our draft, namely, "In view of the fact that there were inaccuracies in the communiqué of September 25, it was decided in the Council of Foreign Ministers to publish the following communiqué in place of that communiqué." Any objections?

BEVIN: Yes, certainly. I think it is a very wrong thing to do. I don't see how the original communiqué can be said to have inaccuracies. I think the Committee tried to do the job the best way they could. I should not like to see it go out in the press in the wording suggested. I should not object to something like this: "The Council of Foreign Ministers considered the communiqué issued on September 25 and decided to issue an amended communiqué which more fully expressed their decision."

MOLOTOV: I should like you to repeat.

BEVIN: The sentence would run: "The Council of Foreign Ministers has examined the communiqué of the twenty-fifth of September and has decided to publish a modified text of that communiqué representing the decisions taken in a more complete manner."

MOLOTOV: Thank you.

BYRNES: I only want to express my own opinion that it is a shame for us to do this. I believe that the only results would be that the newspaper reporters would go to the communiqué of yesterday to compare it to see what in the world happened. Then when they had compared them, they are going to say the only change is the elimination of the reference to the repatriation of French nationals from areas under the control of the Soviet Government.

MOLOTOV: The new text has been agreed upon.

BYRNES: So far as I am concerned, I am agreed but only after I make the observation that I think it unwise. I agree with the text but as to whether it should be done at all—on the question of its amendment, that is what I am speaking about. I think that we ought carefully to consider before we do it whether the reference to that French matter is sufficient matter to call the attention of the newspaper world to it and make it appear that there is some dispute between the Soviet and the French Governments about that matter that caused a correction. I suggested this in a friendly spirit. After I had made the suggestion I am going to make no objection to its publication, but I venture to insist that it will result in more speculation about that question whereas if it were passed over it would be forgotten. I suggest this: that if Mr. Molotov thinks it should be corrected, that he accept correcting it in connection with the communiqué that is issued tonight instead of issuing a separate communiqué which would attract a lot of attention to the item.

MOLOTOV: I should like to ask that the decision on the amended communiqué should be kept in order. Now, we turn to the next question.

BIDAULT: I have accepted a certain number of phrases in the spirit of conciliation but it must be clearly understood that I fully agree with Mr. Byrnes. I could not accept that any statement in yesterday's communiqué was inaccurate since the Delegation would accept important revision in this matter. I would not have asked yesterday that the French nationals should be mentioned. I showed all conciliation in this respect in this yesterday. I think we should think this matter over a little more. The text was actually drafted with the agreement of all the members of the Communiqué Committee. I would have accepted this text yesterday. Today I cannot accept this text which can be compared.

MOLOTOV: I want to state that there is no disagreement as to the text of the amended communiqué.

BIDAULT: But there is disagreement on the publishing of it.

MOLOTOV: But there is no disagreement as to the text.

BIDAULT: I accept this text which I accept to be exact, but the text of the other communiqué was also not inaccurate and I don't want that any comparison can be made against the other communiqué that it was inaccurate by publishing another communiqué.

MOLOTOV: In my opinion the text of the preceding communiqué was not accurate and the text agreed upon now is the text of an accurate communiqué and I want to know if anybody disagrees to the communiqué agreed now. Do we agree to this text or is there any objection to it?

BIDAULT: I maintain my position, as stated.

MOLOTOV: Thus we are to say that we have not reached agreement on acceptance.

BIDAULT: What we are not agreed upon is the opportunity [*opportuneness?*] of publishing a new text.

MOLOTOV: I cannot convince M. Bidault and I shall not insist on this. But the Soviet Delegation considers yesterday's communiqué to be inaccurate. The Soviet Delegation will make a statement to this effect to the press.

BIDAULT: It is quite normal that the Soviet Delegation should make a statement to the press. The French Delegation had had no objection to it.

MOLOTOV: We should like to have an agreed communiqué, but if my colleagues do not wish it, then we are compelled to give an explanation. We shall have it stated that the communiqué issued is not a joint communiqué and that the Soviet Delegation will not agree. We have no other way out. Let us pass to the next item.

BEVIN: I understood that it was agreed by all our representatives. I don't want to prolong this argument. I think it has taken too much time, but it was agreed by all the representatives and to state that it is not an agreed communiqué would mean that the Soviet Delegation is repudiating their own representative, and we should have to say that it was agreed by all the representatives on the Committee.

MOLOTOV: I feel that Mr. Bevin is fully entitled to state what he sees fit to state, but the Soviet Delegation will state what is only required in order to restore the truth to the situation.

BEVIN: I simply want to avoid reflection on the men on the Committee.

MOLOTOV: I think they are good workers but they acted too hastily and made certain inaccuracies, and that is why I think we ought to state the true situation, and I do not express a distrust in our representatives on the Communiqué Committee, but they acted a bit too hastily and made certain inaccuracies.

BIDAULT: I have no desire to provoke incidents and I am therefore ready to reexamine the whole question provided one sentence be added to the text: "The Council has studied the French proposal concerning the repatriation of the French nationals." There is a difference from "areas under the control of the Soviet Government". I would also ask that the introductory paragraph should mention: "In order to avoid inaccurate interpretations, the text of the preceding communiqué is altered as follows:"

MOLOTOV: We have left out the sentence referring to the discussion by the Council of Foreign Ministers of the question relating to Japan. This was done at the suggestion of Mr. Byrnes because this question was not on the agenda and for the same reason the Soviet Delegation thinks this should not be included in the communiqué as it is not on the agenda but if you will agree to leave the two questions in the communiqué, then I shall have no objection to accepting M. Bidault's proposal. There is no objection?

BYRNES: On what—have we gone back to Japan? I did not hear.

MOLOTOV: The same question of mentioning a matter not on the agenda. You raised that question. I have no objection.

BYRNES: I have said to my good friend that Japan was an entirely separate question and has no reference to anything on this agenda. I have agreed to the language of the communiqué Mr. Molotov wants even though I believe publication unwise.

MOLOTOV: Let us say that we have not agreed. That M. Bidault has made a proposal which is not acceptable.

WANG: Mr. Chairman, I think that we are considering the French memorandum on the question of restitution and reparations. If that is so, could we not consider that memorandum because we must

put something in our next communiqué regarding the French memorandum. When that is done we could return to the question of yesterday's communiqué. I ask now how do we proceed?

MOLOTOV: Unfortunately, I cannot accept this proposition as the communiqué issued yesterday has already been published everywhere with the exception of the Soviet press in which it will be impossible to have it published. May we pass on to the next item—the question of restitution? Anyone wish to comment?

RESTITUTION AND REPARATIONS

BIDAULT: I would. In the following draft resolution proposed by the French Delegation on restitution ³⁸ it says as follows:

"The Allied Control Commission should be instructed to speed up with the assistance of the Reparations Commission the carrying out of restitution of property of the United Nations or their nationals taking into account the principles of the declaration of the fifth January, 1943, the determination of property to be restituted shall be settled as soon as possible and the carrying out of restitution should be effected except in cases justifying exception within two years, as provided by Article 6 of Section 4 of the Potsdam Protocol."

My first comment on the resolution which has just been circulated is that like all governments of states occupied by the enemy, the Government of France attaches greatest importance to the restitution of property which the Germans stole either directly or by indirect means mentioned in the declaration of January 5, 1943. As I said, reparations must be levied on Germany and not on the Allies. The French Government hopes there will be no delay. That is why we submitted the resolution which rests on the same principle as the Soviet resolution of yesterday; there is a complete parallel between the two. The principle of restitution is covered by the declaration of fifth January, 1943, and so far as I know all the Allies have agreed. What we ask is that the agreement should be directed and that a date should be fixed for the return of Allied property within the period fixed to their legitimate owners.

BEVIN: I agree.

MOLOTOV: The Soviet Delegation promised that it would study this question within a short time and is grateful for having at their disposal from last night to this morning. As to the merits of this question, the Soviet Delegation wish to state that the Soviet Union is interested in restitutions in no less a degree than any other state. At the same time the Soviet Delegation recognizes the correctness of the remark made by Mr. Byrnes as to the complexity of this question in

³⁸ C.F.M. (45) 38, September 20, p. 285.

practice. Permit me to submit a counterproposal on this subject consisting of two paragraphs:

"First: the question of restitution of the property of Allied countries stolen by the Germans should be considered in each individual case in the light of the declaration of January 5, 1943.

"Second: the question of the return of the gold stolen by the Germans from the Allied countries should be considered in the light of statements made by the Minister of Finance of the U.S.A., the Minister of Finance of Great Britain, and the People's Commissar of Finance of the U.S.S.R. on February 22, 1944³⁹ and Article 10 of the decision of the Berlin Conference regarding reparations from Germany."

Unfortunately I have not this down in writing.

BIDAULT: I have not much objection to your text but I must insist on mine. Your text mentions the text of January 5, 1943, to which we have adhered. Our proposal calls for acceleration.

MOLOTOV: I think the idea suggested by M. Bidault is acceptable. In addition to mentioning a basis for the settlement of this question mention should also be made of the means to be adopted by Governments represented here to implement the decisions already taken. I must add that I have not only not studied the French proposal now submitted and am thus not able to be sure in what way it differs from the Soviet draft, but I am also not an expert in these questions.

In addition the Soviet Delegation have a draft of July 17, 1945⁴⁰ submitted by the American Government which does not correspond with the proposals of the Soviet and French Delegations. I am unable to say whether this American draft still holds good. This is the draft distributed by the American Delegation at the Berlin Conference and I am not certain whether this draft proposal remains in force or not.

(MOLOTOV reads: The paper beginning with "First, the restitution should be confined to identifiable objects of artistic, religious and cultural" and ending with "the value of such property as returned should be included on reparations accounts of such countries".)

BEVIN: The French proposal seems to me to imply action in their proposition while the Soviet Delegation states how it would be applied. If we could agree to the French Delegation's proposal as to action, then the two proposals could be combined. The details could be examined by the experts and they could report because we

³⁹ For text of a declaration issued by Secretary of the Treasury Henry Morgenthau, Jr., February 22, 1944, see *Foreign Relations*, 1944, vol. II, p. 213. Similar declarations were made by the United Kingdom and the Soviet Union.

⁴⁰ Reference is to attachment 2, "Proposed Definitions", to the Proposal by the United States delegation, dated July 17, 1945, and entitled "German Reparations", circulated at the First Plenary Meeting, July 17, 1945, of the Berlin Conference; for text, see *Conference of Berlin (Potsdam)*, vol. II, p. 833.

have not all the figures, of course, referred to by the Soviet Delegation. If the two proposals were put together in one report, I think we could decide quickly. I gather that the Soviet Delegation is not objecting to the action proposed by the French and the French are not objecting subject to examination of the proposal of the Soviet. Then the Council would proceed to come to its decision and this would be another problem solved.

BYRNES: Mr. Chairman, I only want to refer to the statement read by Mr. Molotov as having been circulated at Potsdam. That paper I am not familiar with. I know that the matter was not discussed at the Foreign Ministers' table or at the conference of the Heads of Governments. I am told that in a meeting of the subcommittee considering reparations Mr. Pauley⁴¹ representing the United States along with other gentlemen did submit the memorandum in the hope of bringing about a compromise in that committee, which would greatly restrict the articles which would be subject to restitution. All I am saying is that I do not recall it and do not know what was in the paper. My own views have been that restitution should not be restricted to the extent that was indicated in the paper that has been read, but in any event I imagine that that proposal was not agreed to and that the matter is open for agreement by the Control Council and the Reparations Commission and it seems to me that it should be decided by them because we have not the facts here and they have the information that we are discussing on hand. For that reason I thought that the French resolution was wise because it says nothing more than that the determination of property to be restituted should be settled as soon as possible, and that the decision should be carried out in accordance with the Potsdam Protocol.

MOLOTOV: I have read the document distributed by President Truman in the meeting of the three Heads of Governments on July 17, 1945.

BYRNES: I have no recollection nor do my assistants recall.

MOLOTOV: It is impossible to remember everything.

BYRNES: If my friend has a copy, then certainly my recollection is in fault. Did my friend say there was agreement on that?

MOLOTOV: The question was not discussed; neither was it decided.

BYRNES: My own thought was that there wasn't any objection to the proposal of the French Delegation that we say that it should be accelerated, and that the decision should be effected within two years as provided by the Potsdam Protocol. I would rather have it that way than for us to attempt to go into it when we have not the facts and it is a very complicated problem.

⁴¹ Edwin W. Pauley, United States Representative, Allied Commission on Reparations (from Germany), April-September 1945; Personal Representative of the President on reparations matters.

MOLOTOV: The Soviet Delegation asks for their draft to be studied, and in their turn promise they will study the French one.

BYRNES: May I make a suggestion? As I read it, there is no important difference between the Soviet draft and the French draft, and I wonder if the Soviet Delegation would not appoint a deputy, and the French Delegation appoint a deputy, and see if they can agree on language before our next session. Then the rest of us could have some hope of reaching an agreement all around.

BIDAULT: I want to say something very similar. The Soviet Delegation seems to have at first sight no objection to the French draft, nor do we at first sight to the Soviet draft. This can be studied by experts—if we can get them—and I think that will not be difficult nor long. Mr. Molotov says he is not an expert on this question, nor am I. But I think both Delegations have experts in these problems, and I think they might meet. And I would ask that we continue our examination of this question this afternoon.

MOLOTOV: Provided we agree to take one of the drafts as the basis, I shall have no objection to the question being referred to the Deputies.

BEVIN: As they don't conflict with one another—the first the directive, and the other the details, can't they take both since they don't conflict with each other?

BEVIN: It seems to me with the directive in one, the other the details, therefore if the two are taken for examination there will be——

MOLOTOV: I have already stated that the Soviet Delegation would like time to study the French document.

BIDAULT: We have not got the Soviet text either, the text that was read. It was merely that when I heard that it did not seem to me that there could be any disagreement. I hope that there will be not too much delay. I ask Mr. Molotov when the two texts can be submitted to our experts.

MOLOTOV: I think we have to take something as a basis for our Deputies; otherwise there would be no use for the experts to get together. If the Soviet draft is accepted as the basis, let us then refer it to the Deputies, and consider an amendment. If this draft is not acceptable and if it calls for study, then let us not accept it.

BIDAULT: Of course, the French Delegation advanced this and would like to have it taken as a basis. Moreover, in view of the fact that there is no apparent contradiction between the two texts, I would accept that both texts be taken by the experts. Of course, I am not here to withdraw the text I submitted myself in favor of another text which I have not read. All that I ask is that we reach a solution of this question.

BEVIN: Do I understand that—from what Mr. Molotov proposes that if we took his text as a basis—because of the fact that he has

not studied the French text, the experts would not be permitted to use the French text?

MOLOTOV: Provided the Soviet draft is accepted as the basis, I shall have no objection to the French amendment being considered.

BEVIN: Mr. Molotov places us in a very difficult situation. We feel that the French proposal is reasonable for it provides for a date for two years, and then the Soviet has the details as to how it would be applied. I do think it is unreasonable to put the Delegations in the position that they are asked to agree that they consider the text only when the two have been submitted and ought to be considered together, and I ask Mr. Molotov to assist the Council by being reasonable as we are to put the two texts together and make one report. We are not antagonistic to either. We just want a mutual or a common settlement and I think it does help the parties concerned if we can agree on a common basis where two things are so vital to two Delegations.

I cannot help thinking the French have a very good case for getting this thing settled within two years, to have it disposed of within two years—the quicker this has gotten started the better it will be for all of us. We don't want to be put in a position against the French or against the Soviet. We want to think of the French Delegation helping the Soviet Delegation and the two Delegations can agree on some common basis on which we can get this settled. I think this would work to the satisfaction of both of them.

Let us try to agree.

MOLOTOV: My only request is that my proposal should be oversimplified, at least I do not ask anyone for this. We have just received the French draft, and my colleagues have not received the Soviet draft, and now it is suggested to me that I agree with the French draft irrespective of whether I have read it or not. If I ask to be permitted to study it, then I am told that I am creating a situation. It is difficult to understand such a situation.

BEVIN: It may be that I expressed myself badly. What I asked was that the two drafts together, knowing that they have not been studied, should both go as the basis for study and then the question agreed when the report comes back. I am not asking that Mr. Molotov withdraw his. They would not go as antagonistic documents but as complementary.

MOLOTOV: Does Mr. Bevin agree to apply the same procedure in other cases, too? In all of them? If there are two drafts, then can it be accepted that if they have not been studied they should be referred to the Deputies without the Deputies having one of them as the basis?

BEVIN: I can't answer for every case. Sometimes papers are antagonistic. I can't give a general answer but I undertake to consider each one on its merits. And in considering this on its merits, it seems to me so complementary that it would be the wise thing to do.

For instance, yesterday, from the Chair, I took the Soviet Delegation's, the French Delegation's, the British Delegation's statements on reparations, and in the end the result of the discussion was that we all accepted the Soviet redraft. I am not a doctrinaire on any of these things. I try to do what we say in Britain "try common sense".

MOLOTOV: I think that the proposal of Mr. Bevin is prompted by the best intentions possible. But it is intended for those Delegates who have studied the two drafts. Is the request of the Soviet Delegation so complicated a request that they should not be given a little time to study the draft which they have just received? To translate and to read and to study it?

BIDAULT: I should be very glad for my part to have the opportunity to study the Soviet draft suggestion, and also I think that this matter is important and very urgent. I would not have refused any of my colleagues the necessary time to think it over. I merely ask that he tell us when we may take up the question again.

MOLOTOV: I think one day will suffice.

BIDAULT: I accept that.

It was agreed that they should meet again at 5 o'clock.

The meeting adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twenty-Third Meeting of the Council of Foreign Ministers, Lancaster House, London, September 26, 1945, 11 a. m.

C.F.M.(P) (45) 23rd Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand

CHINA

Dr. Wang Shih-Chieh (Chairman)
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

CONTROL AND ADMINISTRATION OF GERMANY

The Council discussed the issues raised in the memorandum of the French Delegation (C.F.M.(45) 17)⁴² on the control and administration of Germany.

⁴² September 13, p. 177.

No decisions were reached and the Council agreed to resume their discussion of these issues at their next meeting.

740.00119 Council/9-1145

United States Delegation Minutes of the Twenty-Third Meeting of the Council of Foreign Ministers, London, September 26, 1945, 5:00-7:25 p. m.

PRESENT

UNITED KINGDOM

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
A. Duff Cooper

U.S.A.

James F. Byrnes
J. Dunn
B. V. Cohen
J. F. Dulles
C. E. Bohlen

U.S.S.R.

M. Molotov
F. T. Gousev
K. V. Novikov
S. A. Golunski
V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphand
M. Fouques Duparc

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Hollington Tong
Mr. Yang Yun Chu
Mr. Hsich Kwang-Tsien

Dr. Wang presiding

CONTROL OF GERMANY

WANG The French Delegation has presented a memorandum on this subject.⁴³

BIDAULT As my colleagues have read the text of the memorandum which has been distributed by the French Delegation, the Provisional Government of France finds itself confronted with a number of arrangements which, for myself, were not full decisions. It is not the idea of the French Delegation to raise again now, for reasons of form, matters which may have been decided upon in its absence, or which may seem legitimate to it.

We are here in the presence of questions which are of importance to Europe, and are also of the greatest importance to the whole world, and if for the world as a whole, or for Europe particularly, we were to draw up the statistics of German aggression, France would not complain in the share she has had in the matter. That is why I cannot conceal from you the fact that in the circumstances of Berlin, the problems of Germany were examined without consultation with countries such as France who has been at grips with them for centuries, and we feel that very deeply in my country, so naturally we cannot be bound for any acts like this.

⁴³ C.F.M. (45) 17, September 13, "Control and Administration of Germany", p. 177.

We have never contracted any alliance with Germany, and it is only natural we should decide that nothing should be finally concluded to which we have not had an opportunity of giving our consent. Therefore, I would like to say that I do not think, in German affairs, that it is possible or conceivable without France taking its share therewith. Also, I cannot imagine any decisions taking place which should be regarded as committing France. My Government was not consulted in any regard in the matter of texts drawn up and agreed upon, but it has been placed in a position freely to accept. I shouldn't wish it to be understood that the general reservations which I have been making apply in principle to everything which has been decided upon without our participation. I regard some of these as sound but others we cannot accept without reservations. I will indicate later on what reservations I wish to make.

You have had before you almost since the beginning of the Conference, the paper on the French proposals, and I will not dwell on the reservations we are making, but I would like to say that the reservations which we make have reference to the contemplated reconstitution of the Central Government, and also to the creation of a Secretary of State, or by whatever name they may be called, and whose jurisdiction extends to Germany and territories, and I am not, so far, in accord with this.

What is there for the situation confronting us? It was agreed among the three powers present at this Council, that a certain system of administration of Germany could be set in operation.⁴⁴ There are now four of us administering Germany, and I think that is a good thing, and I think we should go on.

So far as the French Delegation is concerned, it agrees with the principles in Paragraph 9 on the Control of Germany; namely that the administration of Germany should be directly toward the decentralization of political structure and the development of local responsibility. This way the French Delegation regards that the paragraph which follows thereon, provides for the constitution at once of a central government of Germany. I would remind you that Germany is now governed by a Control Commission of the Commanders in Chief of the four powers, and this was agreed upon in the absence of the fourth power—France, which I would like to point out without further comment.

Therefore, the French Delegation also regards that the following paragraph not only contemplates but provides for a central German organization before we know what Germany and the German people

⁴⁴ For the agreement reached at the Berlin Conference regarding the political and economic principles to govern the treatment of Germany in the initial control period, see Part III of the Report of Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, pp. 1501-1505.

are being. And it is also provided that there should be created central administrative departments under German directive.

We are all unaware of what Germany is to become in the coming days, and we think it is not necessary, we who have suffered many losses in the field and concentration camps, to proceed in the reconstitution of Germany before it becomes essential to do so. In any case, we do not think the first act of the Control Commission should be to reconstitute in Berlin under German direction a central German administration.

As it appears at present to be determined by the findings of the Conference when we were not present, is that there will be a German administration, but that there will be withdrawn from its authority certain territories which are defined as limited in the declaration of Potsdam.

We have no objection to this directive but if Breslau and Koenigsberg are withdrawn from this central German authority, on which we will agree, then it appears to the French Government and its people, that, if possible, towns like Mainz and Stettin should remain under the authority of responsible German officers, perhaps called Secretaries of State, who would take advantage of the fact that he was alone to administer the railways, for instance, without the Commander in Chief having had in this matter the rights which have been granted for him in other places.⁴⁵

The Provisional Government of the French Republic has said on several occasions, and I think that anyone could have anticipated this, that it attaches essential importance to the areas of the Rhineland and the Ruhr.

What is important to us is that the area which has been the starting point for aggressions, and from which my country has suffered generation after generation, should be withdrawn from the aggressive power. The "European Treasure House," as the Ruhr Basin is known, should no longer be the base for launching and for the continuing of

⁴⁵ The British record of this meeting (not printed) quotes this portion of Bidault's statement in the following manner: "The Berlin Conference had agreed that certain parts of German territory should be removed from the control of this central German authority. The French Government did not object *a priori* to this arrangement; but, if the cities of Breslau, Stettin and Koenigsberg were to be so removed, why should the cities of Mainz and Saarbrücken remain under German authority? The French Government had on many occasions expressed their views with regard to the future of the Rhineland and Westphalia. This area, which had been the spring-board for German aggression for many generations, should be finally withdrawn from the control of Germany. The Ruhr, with its coal and blast-furnaces, should no longer be a base for launching and sustaining aggression against western Europe: its resources should rather be used in support of a peaceful economy for western Europe. France did not claim the great productive capacity of the Ruhr for herself alone, but she did ask that this war potential should be removed from the control of the people from whose aggressions she had suffered so much in the past." (CFM Files: Lot M-88: CFM London Minutes)

wars, and it should be made into something to cement the amity of peoples in the common construction of peace.

As for the Ruhr Basin, of which I said was a "European Treasure House", we must remove it from among the war potentialities which can be wielded by a people from whose aggression we have suffered immeasurably.

As for the agricultural and forest zone south of Cologne, which is mountainous, and which has often been called the "Springboard of Aggression"—my country feels that it should be placed in a position where it is able to watch over the integrity of this section.

I may add that since things have been published that France has no intention of extending its territories, what it does wish to do is to be placed in a position in which it can, once and for all, close the door on aggression. There is a house on the territory of France which has been reconstructed seven times after having been destroyed, and we do not wish that it be constructed again. We wish this so. And, if I am asked where the house is, I will give the address.

Therefore, I think the problem which arises is essentially a problem of Germany. That is the essential problem. But if there had not been a Germany, the consequences which would follow to all of us, and the Soviets with their long ordeal, and Britain holding out so long alone, and America which had to come with us, together with China which had to resist its aggressor, the problem of peace would have been much easier to solve.

That is why France would have wished that the first question to come before the Council of Foreign Ministers be the question which was, in fact, first in importance. This has been in consideration of what has been decided at earlier meetings and out of our desire to promote cooperation with the great Allies, we have been ready to agree that there should be placed in Chapter VIII what should be placed in Chapter I.⁴⁶

As earnest as I am, and as we all are, to arrive at a real government of Germany between four powers who are at present in charge of its controlled areas, there is no objection to another examination of this matter.

In conclusion, I would like to say that the question before us is so serious for the life and survival of the country I represent at this table, I feel it my duty to read over the sentence which concludes the French memorandum: "They are however obliged to state that the French representative on the Allied Control Commission in Berlin will not be empowered to agree to any action prejudging that area's future until the question here raised has been discussed by the five ministers and decided by the Council."

⁴⁶ Apparently reference is to C.F.M.(45) 23, September 17, "Agenda for the Present Plenary Conference", p. 223.

Finally, I would like to say that there is no problem which is more serious for all of us, and France as well, and I should be glad to hear any observations that may be made on the position I have taken, so that we may be able in this way, by common act, remove this peril which has in turn threatened all the frontiers of Europe and which will in turn threaten the future.

WANG Are there any observations? If there are no observations, I would like to ask my colleagues how to dispose of this memorandum?

BIDAULT Mr. Chairman, there are no limits regarding the importance of the problems raised by this memorandum, and I also feel that our ability to settle this technical problem, and indeed some of the general problems, is small here, and that is why I should have no objection to have it referred to an appropriate party. If it is desired to refer it to a meeting of the Deputies, I have no objection. I also have no objection to referring it to any other body. I am, however, most anxious that work should be done on this problem because it is such an essential one.

MOLOTOV The Soviet Delegation feels that the decisions of the Berlin Conference were formed to the wishes expressed by M. Bidault. The Soviet Delegation views with full sympathy the desires expressed by the representative of France, and feels that they should meet with all sympathy on the part of all of us.

I must add that the Soviet Delegation submitted at the Berlin Conference an additional proposal—one concerning the Ruhr area.⁴⁷ I want to recall the main points of this proposal. Here they are:

“Regarding the Ruhr area (industrial) as a part of Germany, and having in view the necessity for reducing in every way the war potential of Germany, the Conference found it advisable first, to lay down that the Ruhr industrial area, in the way of administration, should be under the joint control of the United States, Great Britain, the USSR and France; second, the administration of the Ruhr industrial area should be carried on by the Allied Council composed of representatives of Great Britain, the United States, the Soviet Union and France.”

At the Berlin Conference it was said that the British could not discuss this question without France, and we did not insist on this, but we are ready to devote ourselves to this question if my colleagues agree to do so.

BEVIN I looked up the English text of discussion and

“Premier Stalin said that the Soviet Delegation had brought this up because at earlier conferences the suggestion had been put forward that the Ruhr should be separate from Germany and placed under some form of international control. On earlier

⁴⁷ For text of the Proposal by the Soviet Delegation, dated July 30, 1945, and entitled “On Ruhr Industrial District”, see *Conference of Berlin (Potsdam)*, vol. II, p. 1000.

occasions this suggestion had met with some approval. It flowed from the idea, which had previously been favoured by the heads of the three Governments, that Germany might be dismembered after the war. More recently, however, the views of the three Governments on the dismemberment of Germany had been modified; and at the present time the general feeling seemed to be in favour of treating Germany as a unit for economic purposes. For this reason he was anxious to know whether the British and United States Governments were now of opinion that the Ruhr should be treated as a part of Germany. If Mr. Bevin felt unable to discuss the further proposals for Allied control which were outlined in the remainder of the memorandum by the Soviet Delegation, could not the Conference at least consider whether they accepted the opening words of the memorandum which expressed the view that the industrial district of the Ruhr should be treated as part of Germany. If this were the view of the three Governments he would be glad if a statement to that effect could be included among the decisions of the present Conference.

"Mr. Bevin said that he would not wish to express any firm opinion on this question without further examination of the records of earlier discussions and of the relevant facts bearing on the question. He was content that for the present the Ruhr should remain within the jurisdiction of the Control Council for Germany; but he would prefer to have an opportunity for consultation with his colleagues in the British Government before committing himself to any view about the long-term arrangements for control over the industrial district of the Ruhr. Meanwhile, he was willing to agree that this long-term problem should be referred for consideration by the Council of Foreign Ministers. . . ." ⁴⁸

I also said in the opening statement that this concerned France so much I could not discuss it without France.

I cannot see the need of the Soviet Delegation's proposal now. It is in the British American and French zone, and they are making exactly the same decisions as the Soviet Government. On the other hand, I believe the Soviet Union should agree that over the interim period, Germany is subject to the Allied Control Commission.

Therefore, if the French Government sees its way to serve on the Allied Control Council, as in the Potsdam understanding, it should be done without prejudice during the discussion of the long term settlement of the Ruhr, and it should be brought about later. I could not agree to a different treatment of the zone we are responsible for. Yesterday, in the case of the waterways, I think it was declined.

I would say before I finish, that nobody realizes the importance to France of the question raised in the memorandum more than Great Britain. We have been involved in two wars in twenty-five years,

⁴⁸ For American records of the Stalin-Bevin exchange regarding the Soviet proposal for internationalization of the Ruhr, made at the 11th Plenary Meeting of the Berlin Conference, July 31, 1945, see *Conference of Berlin (Potsdam)*, vol. II, pp. 521-522 and 535-536.

and the cemeteries along that frontier are the greatest memorials of what the price was. We are very anxious to do all we can to associate ourselves with France in some way to prevent another act of aggression. On the other hand, it is very vital, and I think the countries should discuss it very fully.

When the further examination takes place and we are dealing with the settlement of Germany as a whole, then I think some control for it and final adjustments can be made, but I don't think it can be made now.

If the French Delegation would agree that the exercise of the Allied Control, with the decisions made at Potsdam, could be operated, then it could be without prejudice to the final settlement of this territory.

The British Delegation regards the Ruhr and the whole of the Rhine area almost as vital a point of affecting our security as the French.

In the meantime, the argument of the Control Council operating without prejudice would, I think, assist reparations and other things to be dealt with, and would not prejudice the discussions and exchange of views.

BIDAULT I would like to thank Mr. Bevin for what he has said about France. It is in line with the experience of history. All of us know that the Ruhr has fostered the greatest war in history, and has done so before against us both.

In view of the fact that this problem is one which is of vital importance to this country, I cannot make any decisions lightly. I have to consider that Germany has been reduced on the eastern frontier, and have no objection to this being done. We are concerned with the protection of our own territory.

We do have to guard ourselves like the Soviet Union, and that is why it is not possible for us to accept that a central German administration should be able to give orders on the very threshold of our territory.

I realize of course that this is an immense problem. It is in fact the essential problem and perhaps, if I may speak frankly, that is why we put it at the end. I would like to settle the matter now, but I do realize that there are here a number of major problems on which my colleagues have not had time to think, and I will agree that the Conference should take the matter in hand and refer it to the meeting of Deputies, who would then, under the control and with the information supplied to them by their Governments, promote a settlement in this extremely serious matter, so that a report on the basis of the five Governments concerned could be presented to this Council of Foreign Ministers at its next session.

BEVIN I have no objection that this matter be studied by the Deputies.

BYRNES I agree.

MOLOTOV I don't know what the Deputies will discuss. It is not a matter for them.

BIDAULT I agree of course that it should be settled at once.

MOLOTOV But it is not a question for the Deputies. It will be very hard on them and we should have pity on them.

BIDAULT Mr. Chairman, perhaps I took a wrong view of what our Deputies are. I understood that they were men who met together to consider the various positions to be taken up and to receive the necessary instructions from our principals, and would be men behind each of whom there would be the respective minister. Men, therefore, who could not take any final position unless they were authorized by the minister who is responsible. In no circumstance do I regard this as a form of procedure, but only to save time and prepare the way for this very urgent problem.

MOLOTOV I suggest that in view of the complexity of this question, it should be taken up through diplomatic channels at the present stage.

BIDAULT I would like to say this: All that matters to the French Government is that a decision should not be taken at once, although several months have elapsed since the capitulation. But the position is this: We find ourselves, who were not at Potsdam although we regret it—we find ourselves before this problem of Germany, which is one we have had to confront with for a thousand years, and we feel nothing should be done with the German problem without the participation of France, and something should be done with us, and quickly.

Regarding the diplomatic method of proceeding, if this should show the same speed as those who are accustomed to this method know, then I will say that I will probably have to read again the last sentence of the French memorandum.

May I say this: This is not merely for ourselves, but also for all of us. Unlike others around this table, we find ourselves confronted with decisions on which we cannot agree except where our views tally. Thus it is not strange that I suggest that the preliminary work should be done by men whose consideration of the matter would not be limited to their own views on the subject, but who would be representatives of the ministers of foreign affairs, and who would be more fortunate in having a little more time to devote to the settlement of this problem.

No one would be happier than the French Delegation if it were possible to settle this problem today, tomorrow or the day after tomorrow. My attendance at these meetings shows me that international problems are very difficult, and this one is so very serious that we should entrust this to men who have the responsibility of the several Governments here.

What will happen, or what may happen, is that we shall say nothing about it, and each Government will take whatever responsibility it sees

fit within its own particular zone. That, gentlemen, should not happen when we are dealing with this great territory, the care of which victory has entrusted us with jointly.

If there are any other proposals to be made on this subject, I should be glad to consider them.

BYRNES I only wish to say that I appreciate of course the seriousness of this problem, particularly to the people of France. We will have to give careful and serious consideration to the question of what final disposition shall be made of the Rhineland and Westphalia. But it is clear that the future of that area cannot be settled here at this meeting.

Therefore, the question is as to what disposition we can make of it at this time. As far as I am concerned, I am entirely willing that the matter should be referred to the Deputies. I know that they cannot determine the final disposition of it, but they could give thought to it and could make a report to a future meeting which would be of service to the Foreign Ministers when that finally comes to the consideration of the problem.

If we agree that consideration should be given to the problem, I do not think it is very important whether it be done through the Deputies or through diplomatic channels. I prefer the Deputies because then it will be made the business of one group of men who are appointed by us, because they are familiar with the views of our respective foreign offices, and are charged with that duty and they may devise some plan for our future consideration which would be helpful. And I think we can all agree that it is to be understood that if representatives of France and the Allied Control Commission take any action with reference to matters pending, that action will be taken without prejudice that France has for the future disposition of this area.

MOLOTOV Mr. Byrnes has suggested that this French memorandum be referred to the Deputies. The question then is whether Mr. Byrnes agrees that this memorandum is a basis.

BYRNES I must say now that there is a great difference, I find, between us in the words "as a basis." In all good humor, I say that I learn there is a difference in Russian language and in English as to the words, "as a basis."

MOLOTOV Let us say the Latin word then.

BYRNES I realize you didn't know the word and turned around and asked someone for it!

As the basis for discussion or consideration, I have no objection to it, but that does not mean I am committed at all to anything that is in the paper except as furnishing a memorandum upon which the Deputies could discuss it.

I am told that when you use the words, "as a basis" you understand it to mean "acceptance in principle."

MOLOTOV That is the same thing.

BYRNES And we don't understand it that way. Therefore, in order to avoid misunderstanding, I have made that statement so that there will be no misunderstanding in the future.

BIDAULT I have prepared a text here which will remove, I think, any difficulty concerning this term, "as a basis for discussion." It reads as follows: "The Conference of Ministers of Foreign Affairs decides that the questions raised by the memorandum of the French Delegation on matters concerning the control and administration of Germany and shall be the subject of the study and of the report by the Deputies. This report shall be discussed at the next session of the Council."

MOLOTOV My suggestion is as follows: I think we have no right to wave away such questions as these and to refer them to other men. We have given very little consideration to this question, and, therefore, before we pass it on to our Deputies, let us discuss it here more fully.

BYRNES If my friend wants to discuss it more, I would not object.

BIDAULT As I have pressed for a long time to have this matter put on the agenda, I am prepared to discuss it night and day or as long as you wish.

MOLOTOV Very good.

WANG Can we discuss this tomorrow morning?

BIDAULT Very good.

BYRNES Yes, I have no objections.

MOLOTOV I suggest that the morning be reserved for reparations.

BYRNES Yes, I agree.

MOLOTOV And if we have no time to discuss this tomorrow, then the day after tomorrow.

BYRNES I like your first statement.

MOLOTOV Provided we have time to get ready.

BYRNES I agree to discuss this at 3:00 o'clock tomorrow afternoon.

MOLOTOV Provided we have time. If we have not, the day after tomorrow. I suggest that we reach agreement as to when we shall discuss this question. We shall set a special meeting. It is an important one.

BIDAULT I agree.

MOLOTOV The question could not be simply referred to a commission of Deputies. We have to express our views on the French memorandum. That is very important. We are not yet aware of the opinions held by our other colleagues. They have not had time to state them. It is too short a time.

BYRNES Let us then recess until 4:00 o'clock tomorrow. We can think about it then.

MOLOTOV We are grateful to M. Bidault for this, but everyone has not had a chance to express his views.

BYRNES In order that everybody may have time to think about it, I suggest that we recess until 4:00 o'clock tomorrow afternoon.

MOLOTOV I have no objection if we are ready by that time.

BEVIN I want to raise one point. I do think the press communiqué⁴⁹ tonight ought to say this matter is being discussed.

BYRNES I agree.

MOLOTOV I agree.

BIDAULT I agree.

WANG There will be no meeting in the morning?

BIDAULT We will adjourn then until tomorrow at 4:00.

MOLOTOV If we get ready tomorrow; if not, then the day after tomorrow.

The meeting adjourned at 7:25 p. m.

740.00119 Council/9-2645

Memorandum of Conversation, by Mr. Charles E. Bohlen, Assistant to the Secretary of State

[London,] September 26, 1945—7:45 p. m.

Participants:

The Secretary
Mr. Dunn
Mr. Bohlen

Mr. Molotov
Ambassador Gusev
Mr. Pavlov

Mr. Bevin
Sir Ronald Campbell
Mr. Dixon
Mr. Payton-Smith

MR. MOLOTOV said that he wished to circulate a proposal to settle the procedural question. His proposal read that the decision of September 11 with regard to procedure⁵⁰ should be reversed, and the question of the peace treaties should be considered as provided for in the appropriate section of the Berlin decision.

THE SECRETARY replied that he had hoped that their proposal, which he felt was in accord with the Berlin Conference, would satisfy Mr. Molotov, since it excluded from consideration of these treaties the Deputies of any but the powers which had signed the armistice.

MR. MOLOTOV said that he felt that Mr. Byrnes' proposal was not in conformity with the Berlin decision. He pointed out that paragraph 1 let the Council of Five handle the matter of the Hungarian treaty.

⁴⁹ For text of the communiqué released to the press by the Council of Foreign Ministers on the evening of September 26, see Department of State *Bulletin*, October 14, 1945, p. 566.

⁵⁰ See the Record of the First Meeting of the Council, September 11, p. 112.

THE SECRETARY said that he did not see this, since his proposal was that the Council would have no discussion, nor vote, nor take any action on these treaties, but merely refer them to special committees of deputies composed of the countries signatory to the armistice. He added that if the first sentence bothered Mr. Molotov, he was prepared to strike it out.

There was some discussion as to what body would take the decision, remit these treaties to the appropriate deputies, at the end of which Mr. Molotov said he must make it plain that he could not even consider that point in a Council of Five. He said that what he had in mind was that the Council itself should be composed only of the countries signatory to the armistice to consider or refer any matter affecting these treaties.

MR. BEVIN said that we were in a case where the three Heads of State were not agreed, and he did not see why he should be asked to swallow Marshal Stalin's interpretation and go back on that of his Prime Minister. He said he could not be expected to throw over Mr. Attlee any more than Mr. Molotov could be expected to throw over Marshal Stalin.

MR. MOLOTOV pointed out that Mr. Byrnes agreed with his interpretation, although he referred to some different understanding during the discussions at Potsdam, which had not, however, been reflected in the agreed text.

THE SECRETARY replied that this was correct, and that he felt that we could try to find some compromise in the light of the discussion.

MR. BEVIN said that he was afraid that if we changed the procedure now, it would invalidate all the decisions that had been taken in regard to these satellite treaties.

MR. MOLOTOV said this would not be the case since even under the September 11 formula China and France had had no power of decision, and therefore the decisions were only those of the three of us. He added that he must repeat that he could not participate in any meeting concerning these peace treaties in which the representatives of countries not signatory to the armistice terms were present.

THE SECRETARY then asked Mr. Molotov's opinion concerning paragraph 5 of his proposal,⁵¹ namely, that a conference of states at war with these satellite countries be called for the next session of the Council.

MR. MOLOTOV replied that he could not discuss that question in London as he would have to talk to his Government. He pointed out that it was a very serious question and required considerable study.

⁵¹ For the informal proposal by the Secretary of State, September 26, see p. 383.

MR. BEVIN then said that although he could not speak for his Government, he wondered if Mr. Molotov would accept some statement to the effect that notwithstanding the decision of September 11, in future the Council would consider these peace treaties in conformity with the Potsdam decision.

MR. MOLOTOV replied that he thought that that seemed to be very much in line with his own proposal.

It was then decided to meet again at 11 o'clock the next morning since there was no morning session of the Council, to consider further the question of procedure and also at the Secretary's suggestion to have a full discussion in regard to Japan.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United Kingdom Delegation to the Council of Foreign Ministers

C.F.M.(45) 55

LONDON, 26 September, 1945.

AUSTRIAN FOOD SUPPLIES

The following four drafts have been prepared by the United Kingdom Delegation for the consideration of the Deputies.

[Annex 1]

DRAFT DIRECTIVE FROM BRITISH, UNITED STATES AND SOVIET GOVERNMENTS TO THEIR REPRESENTATIVES ON THE ALLIED CONTROL COMMISSIONS IN HUNGARY, ROUMANIA AND BULGARIA

The Council of Foreign Ministers have noted with considerable disquiet the serious deficiencies in food supplies in Austria on which reports have been made to them by the Allied Council in Vienna.⁵² It has been represented to the Council of Foreign Ministers on the one hand that supplies for Austria should be largely drawn from the Danubian area, some of which has been in the past a source of supply for meeting a large part of Austria's needs. The Foreign Ministers have on the other hand been informed that in present circumstances it is practically impossible for any supplies to be drawn from this area and that in fact it has been necessary in certain cases to import supplies into Danubian countries from outside. In order to be able to reach a decision of principle about the proper sources of

⁵² The agreed recommendations of September 17, of the Allied Council for Austria to the Council of Foreign Ministers regarding the question of long-term supply arrangements for Austria were included in the memorandum by the United Kingdom delegation, C.F.M.(45) 42, September 22, p. 323.

supply for meeting Austrian needs the Council of Foreign Ministers wish to have before it the full facts about the total exportable surpluses of foods of all kinds which are now available in the Danubian area and which it is estimated will become available from the 1946 harvest.

2. In order that this information may be available to the Council it is requested that the Allied Control Commission in Hungary/Roumania/Bulgaria should forthwith furnish a report of the total quantities of foods of all sorts actually available for export up to the end of August 1946 in Hungary/Roumania/Bulgaria, and of the total quantities of foods of all sorts which are estimated to become available for export in the period September 1946–August 1947. The Allied Control Commission should also report whether any commitments exist with regard to the distribution of these surpluses.

3. You should immediately consult with your colleagues on the Allied Control Commission and take such steps as you may jointly agree to be necessary in order to obtain the required information as quickly as possible. An agreed report on these lines should be sent by each representative on the Allied Control Commission to his Government and copies should at the same time be sent to the Allied Council in Vienna who will collate the information in these reports for presentation to the Council of Foreign Ministers. It is essential that your report should be in the hands of the Allied Council in Vienna not later than one month from the date of this telegram.

4. Similar instructions are being sent to the Allied Control Commissions in *Roumania*, *Bulgaria* and *Hungary* and enquiries on similar lines are being addressed to the Governments of Yugoslavia and Czechoslovakia.

[Annex 2]

DRAFT TELEGRAM FROM THE BRITISH, UNITED STATES, FRENCH AND
SOVIET GOVERNMENTS TO THEIR DIPLOMATIC REPRESENTATIVES IN
PRAGUE AND BELGRADE

The Council of Foreign Ministers have noted with considerable disquiet the serious deficiencies in food supplies in Austria on which reports have been made to them by the Allied Council in Vienna. It has been represented to the Council of Foreign Ministers on the one hand that supplies for Austria should be largely drawn from the Danubian area some of which has been in the past a source of supply for meeting a large part of Austria's needs. The Foreign Ministers have on the other hand been informed that in present circumstances it is practically impossible for any supplies to be drawn from this area and that in fact it has been necessary in certain cases to import supplies

into Danubian countries from outside. In order to be able to reach a decision of principle about the proper sources of supplies for meeting Austrian needs, the Council of Foreign Ministers wish to have before it the full facts about the total exportable surpluses of foods of all kinds which are now available in the Danubian area and which it is estimated will become available from the 1946 harvest.

2. The Allied Control Commissions in Hungary, Roumania and Bulgaria have been instructed by the Governments represented on them to furnish a report forthwith of the total quantities of foods of all sorts actually available for export from those countries up to the end of August 1946, and of the total quantities of foods of all sorts which are estimated to become available for export in the period September 1946 to August 1947. The Allied Control Commissions have also been asked to report whether any commitments exist with regard to the distribution of these surpluses.

3. It would be greatly appreciated by the Council of Foreign Ministers if similar information could be provided to cover Yugoslavia and Czechoslovakia in order that a complete picture of the area may be obtained.

4. In concert with your Soviet, United States and French colleagues who are receiving similar instructions, you should inform the Czechoslovak/Yugoslav Government of the above and ask them whether they will be good enough to co-operate with the Council of Foreign Ministers by providing you with information on the above lines. You should, if necessary, assure the Czechoslovak/Yugoslav Government that this enquiry does not imply any kind of desire on the part of the Council of Foreign Ministers to interfere with the normal production and distribution of food supplies in Czechoslovakia/Yugoslavia. But it seems to the Council essential to have as comprehensive a picture as possible of the present and future surplus resources of the whole Danubian area in order that they may best meet their responsibilities in Austria. The Council of Foreign Ministers also feel sure that the Czechoslovak/Yugoslav Government will agree that a comprehensive survey of the surplus resources of the area cannot fail to be of great value in itself and of considerable service to all the countries concerned.

5. The Allied Control Commissions in Hungary, Roumania and Bulgaria have been requested to furnish their reports within one month of the date of this telegram. It is greatly hoped that you will be able to obtain the required information from the Czechoslovak/Yugoslav Government in time to send your report within the same period.

6. A similar enquiry is being addressed to the Yugoslav/Czechoslovak Government.

[Annex 3]

DRAFT TELEGRAM FROM THE BRITISH, AMERICAN, FRENCH AND SOVIET
GOVERNMENTS TO THEIR REPRESENTATIVES ON THE ALLIED COUNCIL
IN VIENNA

The Council of Foreign Ministers have carefully considered the valuable reports on Austrian food supplies furnished by the Allied Council as a result of its meeting on September 17th.⁵³ In the discussion on these reports it has been represented to the Council of Foreign Ministers on the one hand that supplies for Austria should be largely drawn from the Danubian area, some of which has been in the past a source of supply for meeting a large part of Austria's needs. The Foreign Ministers have on the other hand been informed that in present circumstances it is practically impossible for any supplies to be drawn from this area and that in fact it has been necessary in certain cases to import supplies into Danubian countries from outside. In order to be able to reach a decision of principle about the proper sources of supply for meeting Austrian needs on a long term basis, the Council of Foreign Ministers wish to have before it the full facts about the exportable surpluses of foods of all kinds which are now available in the Danubian area and which it is estimated should become available from the 1946 harvest.

2. The Allied Control Commissions in Hungary, Roumania and Bulgaria have been instructed to furnish a report forthwith of the total quantities of foods of all sorts actually available for export up to the end of August in Hungary, Roumania and Bulgaria and of the total quantities of foods of all sorts which are estimated to become available for export in the period Sept. 1946–August 1947. The Allied Control Commissions have also been asked to report whether any commitments exist with regard to the distribution of these surpluses.

3. These reports will be furnished to the Governments of the Controlling Powers and copies will be sent to the Allied Council in Vienna. The Allied Council should itself make such enquiries as it feels necessary to obtain, in addition to the information already supplied to the Council of Foreign Ministers, a complete picture of the present and future production and distribution of foodstuffs in Austria together with any recommendations about possible improvements.

4. The Czechoslovak and Yugoslav Governments are also being invited to supply information on the same lines as the Allied Control

⁵³ See footnote 52, p. 412.

Commission. The information received from these two Governments will be communicated to the Allied Council as soon as possible.

5. As soon as the reports from Hungary, Roumania, Bulgaria, Czechoslovakia and Yugoslavia and the information concerning Austria itself are available to the Allied Council they should collate all these reports and draw up a comprehensive picture of the present situation and future prospects as regards the utilization of food from the countries in question to meet Austrian needs.

6. The Allied Control Commissions in Hungary, Roumania, and Bulgaria have been instructed to forward copies of their reports to the Allied Council in Vienna not later than one month from the date of this telegram. It is hoped that information from the Czechoslovak and Yugoslav Governments will be available within the same period. It is desired that the Allied Council should forward its comprehensive report to the Council of Foreign Ministers not later than six weeks from the date of this telegram.

7. Separate telegrams are being sent about ration scales to be applied in Austria and about arrangements for bringing supplies into Austria in the period before the Council of Foreign Ministers can take a further decision on the basis of the Reports to be received about the availability of surplus food in the Danubian area.

[Annex 4]

DRAFT TELEGRAM FROM THE BRITISH, AMERICAN, FRENCH AND SOVIET
GOVERNMENTS TO THEIR REPRESENTATIVES ON THE ALLIED COUNCIL
IN VIENNA

With reference to the question of ration scales and consumption levels to which the Allied Council in Vienna referred in their reports on Austrian food supplies, the Council of Foreign Ministers have agreed that the ration scales for the deficiency areas in Austria should be based on a per capita minimum ration of 1,550 calories a day for the normal consumer, maintaining the principle of differentiation for the various groups of the population on the basis of the type of labour performed. It is for the Allied Council to estimate both the quantity of food which can be obtained from local production and the quantity which remains to be imported in order to reach the above standard. The above scale is fixed on the basis of present possibilities of production and supply. It is hoped that this scale may be increased as more local or imported supplies become available.

740.00119 Council/9-2745

*Memorandum of Conversation*⁵⁴

[London,] September 27, 1945—11 a. m.

Participants:

The Secretary
Mr. Dunn
Mr. Bohlen

Mr. Molotov
Ambassador Gousev
Mr. Pavlov

Mr. Bevin
Sir Alexander Cadogan
Sir Archibald Clark Kerr
Mr. Ivanov

THE SECRETARY said he had taken Mr. Molotov's proposal of yesterday⁵⁵ in regard to procedure and had made a few drafting changes and added an additional paragraph concerning the summoning of a conference. The Secretary handed Mr. Molotov a copy of his proposal. (Copy attached.⁵⁶)

MR. MOLOTOV, after reading the proposal in translation, said that he thought the first part was acceptable but suggested that the last sentence of the first part be changed to conform with the Berlin decision.

THE SECRETARY said he must make it plain that it was one proposal and that he could not agree to the first part without acceptance of the second.

MR. BEVIN said he wished to be quite clear on what was being proposed. He said there were two proposals, one from Mr. Molotov and one from Mr. Byrnes. He said his idea had been that the whole matter of broadening the terms of the Potsdam decision concerning the work of the Council should be referred to the three Heads of Government. He said he would find it hard to agree to any narrowing of the conditions of the September 11th agreement unless there was some clear indication that at future meetings the basis would be broadened, which he felt could only be done by the Heads of Government.

THE SECRETARY pointed out that he felt the second half of the proposal concerning a conference was essential. He said that since we had started this conference on the basis of five members participating in the discussion of the peace treaties, to narrow it to three without some indication that at a future date provision would be made for wider participation of other nations would result in public reaction being very critical. He added that as it was some criticism had been directed against the Council because it was limited to five. He pointed out that at the proposed conference it would be entirely feasible for the five Ministers to meet as they are now meeting. He

⁵⁴ Presumably prepared by Mr. Bohlen.

⁵⁵ No copy of Molotov's proposal has been found; it appears to be described in the first paragraph of the memorandum of conversation by Mr. Charles E. Bohlen, September 26, p. 410.

⁵⁶ Not attached to file copy.

added that in the Berlin agreement it was stated that these treaties would be submitted to the United Nations. There were two ways of doing this: either through diplomatic channels or through a conference. He personally favored the latter course, since it would dispose of the matter once and for all.

MR. MOLOTOV said that he had no objection to considering the Secretary's proposal, although the idea of a conference was new to him and he would have to consult his colleagues and his Government, since it was a very important question. He suggested that they dispose of the first part in regard to immediate procedure and consider the second.

THE SECRETARY said he had no objection to considering the first part first, provided it was clearly understood that the suggestion about a conference was equally a part of a single proposal.

MR. BEVIN said that his personal reaction to the proposal was not too favorable. His Government had made it clear that they interpreted the Berlin decision differently from Mr. Molotov; that in their opinion the resolution of September 11 was entirely correct. He said he did not wish to hold up the work, but he would like some time to consider Mr. Byrnes' proposal.

THE SECRETARY again pointed out that we were required under the Berlin decision to submit these treaties to the United Nations.

MR. MOLOTOV questioned the interest which such States as Haiti and Nicaragua would have in these peace treaties, yet they would be included among the categories of States to be invited to the conference under Mr. Byrnes' proposal.

After further discussion, it was agreed that Mr. Byrnes' proposal would be studied by the three Foreign Ministers, who would meet again after the afternoon session of the Council.

740.00119 Council/9-2745

Memorandum of Conversation ⁵⁷

[LONDON,] September 27, 1945—12:15 p. m.

Participants:

The Secretary
Mr. Dunn
Mr. Bohlen

Mr. Molotov
Ambassador Gousev
Mr. Pavlov

THE SECRETARY said that he wanted to have a further talk with Mr. Molotov regarding Japan. He said he wanted to make it plain that there was no desire whatsoever on the part of the United States to withhold any information regarding conditions in Japan from

⁵⁷ Authorship not indicated.

our Soviet friends. He said he felt that if the Soviet representative in Tokyo was not being kept informed he would take immediate steps upon his return to have this corrected.

MR. MOLOTOV inquired if this was the case, why the United States was opposed to the setting up of an Allied Control Council.

THE SECRETARY stated that last Saturday when Mr. Molotov had raised with him the question of an American-Soviet treaty directed against the revival of Japanese militarism, he had said he would return to Washington and talk the matter over with the President, and that he personally was favorably inclined to this idea. Because of this conversation he had been somewhat surprised when Mr. Molotov had raised at the Council the matter of establishment of a Control Commission, since Mr. Molotov knew that he was not prepared to discuss that question at this meeting, in the absence of the necessary information and military advisers. He pointed out that in our correspondence with the Japanese leading up to the surrender and in particular in our letter of August 10⁵⁸ which the Soviet Government approved, it had been stated that the Emperor would be under the orders of the Supreme Allied Commander. It was therefore a question whether or not the Emperor was bound under these terms to take orders from an Allied Commission. However, because of our interest in consulting with our Allies on these questions, we had proposed as a first measure the establishment of a Far Eastern Advisory Council, which would afford a convenient method of carrying out these consultations.

MR. MOLOTOV inquired in relation to the letter of August 10 whether the Japanese surrender was therefore unconditional or conditional.

THE SECRETARY said that could be a point of argument. In any event, the language of the letter of August 10 still stood. He said we were most anxious to have this Advisory Council set up and the Soviets and Chinese had agreed, but the British were still holding back. He said he was quite prepared to have it meet later on in Tokyo if that was considered desirable, but Dr. Evatt of Australia had just told him yesterday that he would prefer to have it left in Washington.

MR. MOLOTOV inquired why it would not be possible to have a Far Eastern Advisory Council under American presidency and an Allied Control Council also under American presidency.

⁵⁸ Reference is to the letter from the United States Government to the Japanese Government, a draft copy of which was transmitted to Moscow for delivery to the Soviet Foreign Commissariat in telegram of August 10, to London, printed in vol. VI, section under Japan entitled "Surrender of Japan . . .", Part I. This letter, Soviet approval of which was reported in telegram M 25260, August 11, from Moscow, *ibid.*, was communicated to the Swiss Chargé in Washington for delivery to the Japanese Government by the Swiss Government; see note of August 11, from the Secretary of State to the Swiss Chargé, *ibid.*

THE SECRETARY pointed out that he thought the first step was to set up the Advisory Council and then, if they decided some further control machinery was necessary, they could so recommend to the respective Governments.

MR. MOLOTOV said that he had noticed that President Truman had made a statement yesterday in which he had said that he had heard of no proposal for an Allied Control Commission.⁵⁹ He inquired what he should say if the correspondents should ask him if such a question had been raised here. He could keep silent, but they would all know that the question had been raised.

THE SECRETARY replied in such cases he always told the correspondents that he had no comment to make. He added that the President was quite right, since there had been no discussion among the Governments concerning the Soviet proposal. Mr. Molotov had suggested it be included in the agenda, but for reasons he had already explained, he had not found it possible to agree to this. Therefore, the subject had not been officially discussed.

MR. MOLOTOV observed that their representatives in Tokyo had nothing to do; they were not being kept informed, nor were they being consulted, and he therefore thought they would probably have to come home.

THE SECRETARY said he had already told Mr. Molotov that he thought this was wrong and that their representatives should be kept informed; and that he intended to speak to the President immediately upon his return.

MR. MOLOTOV said he had first drawn the Secretary's attention to this state of affairs four days ago.

THE SECRETARY pointed out that when Mr. Molotov had raised the question of a treaty he had promised to talk that over with the President, and Mr. Molotov had said that obviously they did not expect a quick decision from the American Government on this point.

MR. MOLOTOV replied he was not thinking of the treaty now—that would of course take time—but of the question of the Control Commission which he felt was very urgent and essential.

THE SECRETARY said Mr. Molotov must understand we wanted Soviet cooperation in the Far East but that it had been impossible for him to discuss the question at this meeting.

MR. MOLOTOV said that only the United States appeared opposed to an Allied Control Commission for Japan, and he was unable to understand why and did not know what explanation he could give to his Government.

⁵⁹ Apparently reference is to a statement made by President Truman during his news conference of September 26, 1945; for the record of this conference, see *Public Papers of the Presidents of the United States: Harry S. Truman*, 1945, p. 344.

THE SECRETARY repeated that he had merely been unable to discuss the question at this meeting.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twenty-Fourth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 27, 1945, 4 p. m.

C.F.M.(P) (45) 24th Meeting

PRESENT

U.K.	U.S.	U.S.S.R.
Mr. Bevin	Mr. Byrnes (Chairman)	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih-Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Victor Hoo	
M. Alphand	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

1. GERMANY: CONTROL AND ADMINISTRATION

The Council agreed to resume on the following day their discussion of the Memorandum by the French Delegation on the Control and Administration of Germany. (C.F.M.(45) 17⁶⁰).

2. RESTITUTION

The Council—

(1) Agreed that the Allied Control Council should be instructed to examine urgently the question of restitution of property belonging to the United Nations or their citizens, taking into account the principles of the Declaration of 5th January, 1943.

(2) Instructed the Deputies to consider and report to the Council before the end of the present Conference on the proposal for a time limit for the determination of property to be the subject of restitution, taking as a basis the second paragraph of the Draft Resolution proposed by the French Delegation at the Council's meeting on 26th September (C.F.M.(P) (45) 22nd Meeting, Minute 2).

(3) Agreed that the daily communiqué on the work of the Council on 27th September should refer to the fact that a decision had been reached on the question of restitution, but should not include the text of that decision.⁶¹

⁶⁰ September 13, p. 177.

⁶¹ For text of the communiqué released to the press by the Council of Foreign Ministers on September 27, 1945, see Department of State *Bulletin*, October 14, 1945, p. 567.

3. REPATRIATION OF FRENCH NATIONALS

The Council took note of the statements of M. Molotov and M. Bidault on this subject.

4. AUSTRIA: FOOD SUPPLIES

The Council instructed the Deputies to consider and report to the Council before the end of the present Conference on the memorandum by the United Kingdom Delegation (C.F.M.(45) 55⁶²) on this subject.

Council of Foreign Ministers Files: Lot M-88: CFM London Minutes

*British Record of the Twenty-Fourth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 27, 1945, 4 p. m.*⁶³

[Here follows list of participants identical to the list of participants contained in the Record of Decisions of the Twenty-Fourth Meeting, printed *supra*.]

1. GERMANY: CONTROL AND ADMINISTRATION

(Previous Reference: C.F.M.(P) (45) 23rd Meeting).⁶⁴

M. MOLOTOV asked that this question should be postponed to the following day by which time he hoped to be better prepared to discuss it.

The Council agreed to resume on the following day their discussion of the memorandum by the French Delegation on the Control and Administration of Germany (C.F.M.(45) 17⁶⁵).

2. RESTITUTION

(Previous Reference: C.F.M.(P) (45) 22nd Meeting, Minute 2).⁶⁶

M. BIDAULT said that he had prepared a draft resolution designed to amalgamate the proposals made by the Soviet and French Delegations on the previous day. He hoped that the Council would adopt this resolution, which was as follows:—

“1. The question of the restitution of United Nations property shall be settled on the basis of the Declaration of 5th January, 1943.

2. The question of the restitution of gold shall be settled on the basis of the declaration made on 22nd February, 1944 by the Secretary to [of] the Treasury of the United States, the Chancellor of the Exchequer of the United Kingdom and the People's Commissar for Finance of the U.S.S.R., to which declaration the Provisional Gov-

⁶² September 26, p. 412.

⁶³ Because the United States delegation minutes of this meeting suffer from numerous omissions and garbles, the editors have decided on the use of the British Record instead.

⁶⁴ September 26, p. 400.

⁶⁵ September 13, p. 177.

⁶⁶ September 26, p. 384.

ernment of the French Republic later adhered, and also on the basis of Article 10 of Section IV of the Protocol of the Berlin Conference.

3. The Allied Control Council shall be given instructions to expedite, with the assistance of the Reparations Commission, the enforcement of restitution in the conditions mentioned above.

4. The determination of the property to be restored shall be effected at the earliest possible moment and the restitution completed, apart from reasonable exceptions, within the period of two years laid down in Article 6 of Section IV of the Protocol of the Berlin Conference."

M. MOLOTOV said that he was grateful to M. Bidault for taking account of the Soviet proposals, and his study of the French proposals convinced him that there was much in common between them. Experience had shown, however, that it was easier to secure agreement on shorter drafts, and he was prepared to withdraw the Soviet draft and to take as a basis a shortened version of the French draft of the previous day. He proposed that the second paragraph of that draft should be omitted, and that the first paragraph should be amended to read:—

"The Allied Control Commission is requested to consider the question of the restitution of property of the United Nations or their nationals, taking account of the principles of the Declaration of 5th January, 1943".

M. BIDAULT said that this draft omitted two important elements in the French proposals; first that the work should be speeded up, and secondly, that a time-limit should be fixed.

M. MOLOTOV said that before the Control Council were asked to accelerate their work on this question, they should first be asked to undertake it. Later on, if it were found that they were not going fast enough, they could be told to accelerate. As regards the time-limit, the Council had no data on which to judge: the period necessary for restitution should possibly be even shorter than the two years proposed; but this should be determined by the Control Council. He was, however, prepared to refer this point to the Deputies if M. Bidault was not satisfied.

MR. BYRNES asked whether M. Bidault would be satisfied if there were added to M. Molotov's draft the words "and the determination of property to be the subject of restitution shall be settled as soon as possible".

M. BIDAULT pointed out that the Berlin Conference had fixed a time-limit of two years for reparations. The Declaration of January 5th, 1943, said that reparations should be levied on enemy property only. If, therefore, reparations deliveries were to be made within two years, it followed that the determination of the property on which reparations could be levied must also be made within that time; and consequently that the property subject to restitution must be determined within that period. He would, though reluctantly, agree to

refer to the Deputies the question of the time-limit, but he thought that the Resolution which he had just put forward should be adopted at once as it included nothing apart from matters on which all Delegations had agreed. At a previous meeting the French Delegation had shown their goodwill by agreeing that reparations should be discussed before restitution though that was not the logical order. He hoped therefore that the draft resolution which he had put forward might now be accepted by the Council.

MR. BYRNES said that he feared that failure to agree on this question might delay the execution of the reparations plan which had been approved by the Berlin Conference. The Allied Control Council had to proceed by common agreement; and, if one of the Allied representatives on that Council dissented, it would be difficult to make progress with the reparations plan on which Allied Governments had agreed. From that point of view, therefore, it would be of advantage if the Council could now agree upon the terms of a resolution on the question of restitution. He suggested that M. Bidault's point might be met if the draft resolution proposed by M. Molotov were amended so as to require the Allied Control Council to examine the question of restitution urgently.

M. MOLOTOV said that he would accept the addition of the word "urgently".

M. BIDAULT pointed out that the third paragraph of his draft resolution, to which M. Molotov objected, was exactly parallel to the second paragraph of M. Molotov's own resolution on reparations which the Council had approved at their meeting on 25th September (C.F.M. (P) (45) 21st Meeting, Minute 2⁶⁷). The Soviet Delegation considered that work on the reparations plan should be accelerated; and, as the property on which reparations should be levied could be determined only after the question of restitution had been settled, it seemed reasonable that the Council should use the same language about accelerating the determination of restitution as they had used about the execution of the reparations plan.

M. BIDAULT said that he would be ready to accept the amended wording proposed by Mr. Byrnes if it were made clear that the time-limit already fixed for the reparations plan should also be kept in respect of restitution.

M. MOLOTOV proposed that the Council should at once adopt his draft resolution, with the amendment proposed by Mr. Byrnes; and should further agree to refer to the Deputies the second paragraph of the draft resolution put forward by the French Delegation on the previous day.

⁶⁷ September 25, p. 370.

M. BIDAULT said that he would agree to this proposal if the Deputies were instructed to report, on the question referred to them, before the end of the present Conference.

The Council—

[Here follow the decisions of the Council on this subject as contained in Minute 2 of the Record of Decisions of this meeting, printed *supra*.]

3. REPATRIATION OF FRENCH NATIONALS

[Here follows an exchange of statements between Molotov and Bidault.]

The Council took note of the statements by M. Molotov and M. Bidault on the repatriation of French nationals.

4. FURTHER MEETINGS

The Council agreed—

(1) that the Deputies should meet at 10.0 a. m. the following day to consider the outstanding question on restitution (see Minute 2 above), and the memorandum by the United Kingdom Delegation (C.F.M. (45) 55) on Austrian Food Supplies: ⁶⁸

(2) that the Council itself should meet again at 11.30 a. m. the following day.

740.00119 Council/9-2745

Memorandum of Conversation, by Mr. Charles E. Bohlen, Assistant to the Secretary of State

[LONDON,] September 27, 1945—6:15 p. m.

Participants:

The Secretary
Mr. Dunn
Mr. Bohlen

Mr. Molotov
Mr. Golunski
Mr. Pavlov

Mr. Bevin
Sir Alexander Cadogan
Sir Archibald Clark Kerr
Mr. McAfee

MR. MOLOTOV said he had some new proposals to make concerning the procedural questions. These proposals were of a preliminary nature, and he could not give a final decision on them until tomorrow. He said they related to the second part of Mr. Byrnes' proposal of yesterday ⁶⁹ in regard to summoning the conferences. By these proposals he was suggesting that the various peace treaties be considered in separate categories, i.e. one procedure for Italy, another for Rumania, Hungary, and Bulgaria, and a third for Finland. He said he must add in regard to Italy that the Soviet Delegation could not guar-

⁶⁸ September 26, p. 412.

⁶⁹ Reference here presumably is to the informal proposal by the Secretary of State, September 26, p. 383.

antee that they would be ready during 1945 for the proposed conference. (Copies of Mr. Molotov's three proposals attached.) Under Mr. Molotov's proposals conferences would be held in Moscow for the Finnish, and for the Bulgarian, Rumanian, and Hungarian treaties, and in London for the Italian treaty.

MR. BYRNES and MR. BEVIN said that they would have to have some time to study these new proposals.

MR. BEVIN asked why Mr. Molotov thought the Soviet Government would not be ready for a conference on the Italian treaty during this year.

MR. MOLOTOV replied that if the United States could agree to the setting up of an allied control council for Japan, it would be easier for the Soviet Government to be ready for the Italian treaty. He said all the other nations were for the setting up of a control council, but the United States alone was against it.

THE SECRETARY asked what connection there was in any way between the question of Japan and the Italian treaty.

MR. MOLOTOV replied that there were some questions which the United States wished to postpone, and there were others which the Soviet Delegation wished to postpone.

THE SECRETARY pointed out he had already told Mr. Molotov many times that he was prepared to take up this matter of a control council with the President when he returned to the United States.

MR. BEVIN then inquired whether Mr. Molotov's proposals meant that he would not be inclined to continue the work of the Council on the basis of the September 11th decision.

MR. MOLOTOV said this was correct, since the September 11th decision provided no basis, and he could not be a party to the violation of the Berlin Agreement.

MR. BYRNES inquired what Mr. Molotov had in mind with regard to Italy—what would he consider as "chiefly interested states".

MR. MOLOTOV said preliminarily he would consider that it meant the three great powers, France, Yngoslavia, Greece, Ethiopia, Albania, the British Dominions, Poland, White Russia, and the Ukraine.

THE SECRETARY pointed out that the Berlin decision did not specify exactly what nations were to be regarded as "chiefly interested".

MR. MOLOTOV agreed that it was up to the three of them to decide that.

MR. BEVIN inquired if Poland was to be regarded as interested in the Italian treaty, what about France in the Balkan treaty?

MR. MOLOTOV said the Soviet Government could not accept France's interest.

MR. BEVIN pointed out it would be difficult to explain the participation of Poland in the Italian treaty while excluding France from the Balkans.

MR. MOLOTOV said that the list of countries would be discussed. Mr. Molotov suggested that they take the question up separately and begin with those who should be invited under his proposal to the conference on the Italian treaty.

THE SECRETARY pointed out that under the Berlin decision we were bound to submit these treaties to all the United Nations, and that his proposal had been designed to simplify the process of submission. He said that it was true that there was some South American countries that had only a very limited interest, but Brazil, for example, had had two divisions on the line in Italy for more than a year.

MR. BEVIN inquired whether it would not be possible to add some language in regard to the fact that these conferences were held without prejudice to the rights of other United Nations to examine these peace treaties before final signature.

MR. MOLOTOV replied that he did not take the Berlin decision to mean that the treaties would be submitted to all the United Nations, for example, the Soviet Government would never have any dealings with the present Argentine Government and would not come within a stone's throw of them. He also said he did not see what Honduras and Haiti had to do with the matter.

THE SECRETARY replied that he agreed with Mr. Molotov in regard to the Argentine, and felt that their admission to San Francisco was more than enough for them. He said one way out was to regard the term "United Nations" as meaning only those who had signed the Declaration of January 1, 1942. This would exclude Argentina.

The meeting broke up with the understanding that the various proposals would be studied further, and they would meet again tomorrow.

[Annex 1—Translation]

PROPOSAL OF THE SOVIET DELEGATION

The Council in the person of the Ministers for Foreign Affairs of Great Britain and the U.S.S.R. will convoke a conference in accordance with the provisions of section II 4(d) of the Berlin Agreement with a view to the consideration of a peace treaty with Finland. The conference will consist of the above-mentioned members of the Council together with other states chiefly interested in this treaty. The conference will be held in Moscow and will begin its work as soon as the Deputies have finished the preparation of the peace treaty if possible during 1945. As a basis for its work it will take the reports

of the Deputies with any modifications agreed on by the governments of the Deputies in question.

[Annex 2—Translation]

PROPOSAL OF THE SOVIET DELEGATION

The Council in the person of the Ministers for Foreign Affairs of Great Britain, U.S.A., and the U.S.S.R. will convoke a conference in accordance with the provisions of section II 4(*d*) of the Berlin Agreement with a view to the consideration of peace treaties with Rumania, Bulgaria, and Hungary. The conference will consist of the above-mentioned members of the Council together with other states chiefly interested in these treaties. The conference will be held in Moscow and will begin its work as soon as the Deputies have finished the preparation of the peace treaty if possible during 1945. As a basis for its work it will take the reports of the Deputies with any modifications agreed on by the governments of the Deputies in question.

[Annex 3—Translation]

PROPOSAL OF THE SOVIET DELEGATION

The Council in the person of the Ministers for Foreign Affairs of Great Britain, United States of America, the U.S.S.R., and France will convoke a conference in accordance with the provisions of section II, 4(*d*) of the Berlin Agreement with a view to the consideration of a peace treaty with Italy. The conference will consist of the above-mentioned members of the Council together with other states chiefly interested in this treaty. The conference will be held in London and will begin its work as soon as the Deputies have finished the preparation of the peace treaty if possible during 1945. As a basis for its work it will take the reports of the Deputies with any modifications agreed on by the governments of the Deputies in question.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twenty-Fifth Meeting of the Council of Foreign Ministers, London, September 28, 1945, 11:30 a. m.^{69a}

1. AUSTRIA: FOOD SUPPLIES

The Council agreed that telegrams should be despatched to the Allied Control Commissions in Bulgaria, Hungary and Roumania

^{69a} The participants were the same as those at the 24th meeting, p. 421, with the addition of M. Fouques Duparc for France.

and to the Governments of Czechoslovakia and Yugoslavia in the terms set out in C.F.M.(45) 65.⁷⁰

2. GERMANY: CONTROL AND ADMINISTRATION

The Council decided that the questions raised by the memorandum of the French Delegation of 14th September, 1945, on the control and administration of Germany⁷¹ should, without delay, be the subject of preliminary study through the diplomatic channel. The problem would then be submitted for consideration by the Council of Foreign Ministers with a view to decisions being taken.

740.00119 Council/9-1145

*United States Delegation Minutes of the Twenty-Fifth Meeting of the Council of Foreign Ministers, London, September 28, 1945, 11:30 a. m.*⁷²

Mr. Bidault in the Chair

BIDAULT: The meeting is open. I shall ask the chairman of the meeting of the Deputies to give us an account of their meeting this morning.⁷³

DUNN: In accordance with the directive of the Council of Foreign Ministers, the Deputies this morning worked out a draft of a telegram to Rumania, Bulgaria, Hungary, Yugoslavia and Czechoslovakia. The Deputies recommend the following telegram:

(reads telegram attached⁷⁴)

⁷⁰ September 28, 1945, not printed. The agreed text of the telegram read as follows:

"The Council of Foreign Ministers has decided to clarify through the Allied Control Commissions in Hungary, Roumania and Bulgaria and also with the Governments of Czechoslovakia and Yugoslavia whether there are in the above listed countries surpluses of foodstuffs which could be used for supplying Austria.

"Therefore, by instruction of the Council of Foreign Ministers, I request you to inform me whether country can set aside foodstuffs for supplying Austria. In case there are such surpluses, the Council of Foreign Ministers would like to learn in what quantities they can be set aside for Austria now and from the proceeds of the next harvest. The Council requests that the information in respect to the present surplus be made available within one month, and as to the next harvest, within three months." (Council of Foreign Ministers Files: Lot M-88: CFM London Documents)

⁷¹ C.F.M.(45) 17, September 13, p. 177.

⁷² According to the British Record of this meeting (not printed) the participants were as follows: U.K.—Mr. Bevin, Sir R. I. Campbell, Sir A. Clark Kerr, and Mr. A. Duff Cooper; U.S.A.—Mr. Byrnes, Mr. J. Dunn, Mr. B. V. Cohen, Mr. J. F. Dulles, and Mr. C. E. Bohlen; U.S.S.R.—M. Molotov, M. F. T. Gusev, M. K. V. Novikov, M. S. A. Golunski, and M. V. N. Pavlov; France—M. Bidault (Chairman), M. Couve de Murville, General Catroux, M. Alphand, and M. Fouques Duparc; China—Dr. Wang Shih-Chieh, Dr. Wellington Koo, Dr. Victor Hoo, Dr. Hollington Tong, and Mr. Yang Yun Chu. (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

⁷³ The Deputies met at 10 a. m., September 28, 1945, for their 4th meeting; the minutes of the meeting are not printed.

⁷⁴ Draft telegram as prepared by Deputies not attached to these minutes. For the version of the telegram agreed to at this meeting, see footnote 70, above. The sole modification in the Deputies' draft is shown below.

DUNN: (to interpreter translating into French) You put in some extra words.

(interpreter corrected his translation)

That is the recommended telegram. The Deputies recommend that the information received be transmitted to the Allied Commission in Austria as soon as possible by the Secretariat.

I wish to report also that there remains for the Deputies to consider in accordance with the directives of the Council of Foreign Ministers the following items:

1. A telegram of instruction to the Allied Commission in Vienna in regard to the food situation in Austria.
2. Interim arrangement with regard to food for Austria.
3. The subject of restitution and of the report.

MOLOTOV: The Soviet Delegation has an amendment to suggest. The last sentence of the last paragraph of the telegram should be amended as follows:

"The Council requests that the information be made available . . ."

BIDAULT: The text will be amended accordingly. Any further remarks on the report made on this morning's meeting? The *rappor-teur's* conclusions are, therefore, adopted.

I think that the Council now will agree to take up point 8 on the agenda regarding the control and administration of Germany. We have considered this matter and have decided to support the Soviet proposal to go through diplomatic channels.

BEVIN: It is a technical and difficult subject. If the Council would agree to that, I am sure that we should make a great deal of progress.

BIDAULT: What is the opinion of the other Delegations? I have given my opinion.

MOLOTOV: I agree with Mr. Bevin.

BYRNES: The United States Delegation was prepared to report that the French proposal would be submitted to the Deputies, but we could equally go along that the matter be submitted through diplomatic channels.

WANG: The Chinese Delegation shares fully the view of the French Delegation in regard to the danger of possible revival of German aggression. The question of setting up the central government is one that requires much information and careful consideration. We have no objection to this being taken up through diplomatic channels. We have no objection that the decision of the Potsdam Conference to which the memorandum refers should be studied by the Deputies and form the subject of a report. We also agree with the French Delegation that the Rhineland and Westphalia should be prevented again from becoming an arsenal for German aggression in Europe. This is

a matter which concerns not only France and Europe, but the world as a whole. Unless the population of the Rhineland expresses a desire to be separated from Germany we should leave aside the question of setting up a separate regime in that area. Our task for the moment is to ensure the complete disarmament of Germany industrially and militarily. Let me make a personal observation. Peace and security in Europe not only in Europe but in the whole world depends more upon solidarity and cooperation than upon measures that we could expect to apply to Germany. With solidarity, peace can be guaranteed.

DULLES: I don't want it to appear that because we differ as to the methods that we are differing as to substance. The problem raised by the French memorandum goes to the heart of the question of peace in Europe. The solution of the problem of the Ruhr and Rhineland in terms of the ethnic problem, political problem and economic problem is one which must be dealt with seriously and with a solid study. If the matter were referred to the Deputies, a study presumably would be made and it would be a joint study. That would seem to be the preferable decision. But that is not the exclusive procedure because if a joint study was not made presumably the French, who have taken the initiative of the French memorandum, would want to make a study elaborating somewhat their ideas, then submit that for the study of the other powers represented. But in any event, such a study should be made and should be made promptly, and if it is decided to refer the matter to diplomatic treatment, that, in our opinion, does not mean that we are postponing the serious and prompt study of this problem.

BIDAULT: Any further remarks aside from those which I am going to make myself?

BEVIN: I want to say that I have expressed my views about the Ruhr. I have expressed my views about it at the meeting we had the other day. I don't think it is necessary to repeat myself.

BIDAULT: I should like to make first two preliminary remarks, then I shall express the feeling of the French Delegation on the formulas that were suggested for the settlement of the question.

In his statement which we have all appreciated, the Delegate of China expressed the essential reason of our hope in the future of peace in the world; that of the co-operation between great powers represented here and also the other United Nations. I should like to associate myself with these sentiments, and we are all agreed that it is an absolutely essential decision, but this never prevented anybody from also using the same means and in other parts of the world and it did not appear by great powers and the other United Nations was not inconsistent with definite measures. With us that should be the

case in an area that has always been the breeding place of strife and where cooperation should be better found by France than by Germany.⁷⁵ My second remark is this. The French Delegation agrees with the statement made by the representative of the United States when he said first that the German problem is very important and this problem in connection with the peace in Europe and in the world deserves a careful study. France has made that study and it will contribute to its being communicated to the powers represented here. The second point made by the United States representative was to stress the necessity of acting promptly and what is important for us is not to determine whether to send it to the Deputies or the Ambassadors. What is important is that such a serious problem not only for France but for the whole world should be settled and it is an urgent matter. The war has been over for several months in Europe. A few decisions have been taken but no decision has been taken with France which was in the front of aggression on the part of Germany. It is therefore urgent that we should have common decisions to which France should be associated and I shall explain later that nothing should be done without our agreement. We are now confronted with a problem. How shall we reach properly and usefully if possible a conclusion in the matter raised by the French Delegation, namely, the western zones of Germany and a general regime. I shall speak frankly. If this is only done by the normal diplomatic channels, I am afraid the question will not be entirely satisfactory. At least it can only be considered as a preliminary phase in any case. It has been referred to the Council of Foreign Ministers, and, as I have already said, before the general peace settlement, will have to come before the whole of the United Nations. If it is insisted here the French Delegation agree to a preliminary approach the matter will be carried out through the diplomatic channels, but in my opinion it is essential that the final protocol will mention that the fact was referred to the Council of Foreign Ministers, then to the whole of the United Nations. It should be anomalous not to mention the German problem. It is more complicated, it is more serious and it would not be normal that the Council of Foreign Ministers should only have to deal with questions that are not too difficult. I shall now conclude and sum-

⁷⁵ According to the British record of this meeting (not printed) Bidault commented as follows on Wang's statement: "M. Bidault agreed that the only hope for future peace lay in the co-operation of the Powers represented at the Council and indeed of all the United Nations. This, however, was not inconsistent with the adoption of definite measures of control in particular cases, and the French Delegation were anxious that such measures should be adopted in these territories, which had been for generations the breeding ground of aggression in Europe." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

marize my point of view. If finally the Council prefers, the French Delegation agrees that this should be dealt with through diplomatic channels on one condition, namely, that the final protocol will refer to the common will of the powers represented here to settle this problem and that this will be a preliminary work and that settlement be made through diplomatic channels as soon as possible before a new session of the Conference of Foreign Ministers. The French Delegation could not accept that such an important problem as the German problem should not be mentioned in the protocol of our first session. Any other remarks? I understand that the Council prefers the diplomatic channels, in which case I shall express my opinion by proposing a resolution. This is the text of the French resolution:

“The questions raised in the memorandum of the French Delegation dated September 14, 1945 regarding the control and administration of Germany will without any delay be the subject of preliminary study through the diplomatic channels. The problem will be submitted to the examination of the Council of Foreign Ministers with a view to decisions to be taken.”

BYRNES: I would like to see it.

BIDAULT: The new resolution, which is in French, will be circulated for the members to examine.

BYRNES: I agree.

MOLOTOV: I suggest we accept the original proposal made by Mr. Bevin.

BEVIN: This only amplifies it. It was originally proposed that it go to the Deputies. Now it is proposed to go first through diplomatic channels.

MOLOTOV: My suggestion is that we first should decide how we are going to settle this question, whether through diplomatic channels or not, then the question itself.

BIDAULT: Am I to understand that it has been suggested that the question should be treated by solely diplomatic channels and this is to have been accepted? What the French Delegation wants is that it should be mentioned in the protocol and that furthermore after studying through the diplomatic channels the question should come back to the Council of Foreign Ministers. Frankly, the French Delegation have no particular liking for the diplomatic channels but since my colleagues thought it should also go through diplomatic channels appear to be an excellent solution, we agreed, but it seemed that it should not be only and exclusively done through the diplomatic channels and that our Council will take up the matter again after the preliminary work has been carried out.

MOLOTOV: No objection.

BIDAULT: Do you want me to read that text again?

BYRNES: I have agreed on it. You are too honest.

BIDAULT: When one is chairman, one should be overly honest.

BEVIN: When one is not chairman, one must be overly careful.

BIDAULT: I think that has been settled in a manner not exactly in accordance with the wishes of the French Delegation. Now, we have to look over any other points, which in the preceding items of the agenda have not been examined or settled yet.

MOLOTOV: I suggested that our Deputies should find out what points remain open in the agenda so as to avoid any omission.

(that was agreed)

BIDAULT: I think this is an excellent suggestion. It is a good thing that our Deputies soon meet and draw up a list of questions still open so that no part will be omitted, and there are several possible solutions. We might decide either that there will be a Deputies' meeting early in the afternoon, then a full meeting of the Council, or if we assume that their work will be fairly long, we might only decide on a meeting of our Deputies. I suggest three o'clock.

MOLOTOV: Four o'clock for the Deputies.

BYRNES: I wonder if the Deputies could meet at three o'clock and then we could meet at five.

MOLOTOV: No objection.

BIDAULT: That would give them two hours to work on it. The chairman of the Deputies' meeting of this morning has pointed out to us that there was a whole series with which the Deputies still have to deal. Will they defer these or will they only examine the question still open on our agenda?

BYRNES: The suggestion made by Mr. Molotov was that the Deputies meet for the Deputies to determine what questions were left to decide and to report back to the Council so that they could work on those matters. That was to facilitate the work of the conference and there should be immediate accord on that. Then the Council can go on.

BEVIN: I thought that they might take up Austria and the other points at the same time.

BYRNES: There is no limit on their activities. If they can settle them, we would be very happy.

BEVIN: I fear that we have given them quite [a] task. I suggest we meet at seven tonight.

(The final decision was that the Deputies would meet at three this afternoon and again at ten o'clock tomorrow morning and that the Council would meet at five today.)

740.00119 Council/9-2845

*Memorandum of Conversation, by Mr. Charles E. Bohlen, Assistant
to the Secretary of State*

[LONDON,] September 28, 1945—4 p. m.

Participants:

The Secretary	Mr. Molotov	Mr. Bevin
Mr. Dunn	Mr. Golunski	Sir Alexander Cadogan
Ambassador Harriman	Mr. Pavlov	Sir Archibald Clark Kerr
Mr. Bohlen		Mr. McAfee

THE SECRETARY said that he had been going over the various proposals in regard to procedure, and he had a new suggestion which he hoped Mr. Molotov would consider very seriously. He would see that the first paragraph was the acceptance of his position in regard to the preparation of the treaties, and in the second paragraph he had made some amendments to his original proposals so that now there would be one conference for all these peace treaties, to which, in addition to the five members of the Council, all European states members of the United Nations would be invited, and non-European members of the United Nations who had contributed appreciable military contingents in the war against the European Axis. (Copy attached).

He went on to say that he realized that Mr. Molotov would not like to have a large number of states with no particular interest in these treaties participate in this conference, and that was why he was proposing the present formula which would eliminate non-European states which had not been active belligerents. He said he thought the present formula was a sensible one, and would commend itself to the world since it would follow that, while we were narrowing the basis of preparation in deference to Mr. Molotov's position, we were at the same time widening participation for the purpose of the conference, and show the world that we did not intend to exclude any nation, no matter how small, if it had a legitimate interest in these treaties.

MR. MOLOTOV said he had no authority to depart from the Berlin decision, and that he would request permission to report this proposal to Moscow on his return.

THE SECRETARY asked in what manner his proposal differed from the Berlin decision.

MR. MOLOTOV said he would have to study the document and consult with his colleagues before he replied.

MR. BEVIN remarked that his Government still considered that the September 11th decision was right, if the Berlin decision as a whole was taken.

MR. MOLOTOV disagreed. That, he said, would be up to the three of them to decide what questions [*nations?*] should be regarded as chiefly interested.

MR. MOLOTOV and MR. BEVIN agreed.

MR. MOLOTOV inquired how a European country which had not declared war against the satellite countries in question could participate in the drawing up and conclusion of the peace treaty.

MR. BYRNES pointed out that if Poland, who had not declared war against Italy, was regarded as interested, how could they exclude other European countries.

MR. MOLOTOV said he would have doubts as to whether Poland would have any rights to participate in peace treaties with Hungary, Bulgaria, Rumania, and Finland, but in Italy it was different since Polish divisions had fought there.

THE SECRETARY pointed out that the Berlin decision merely spoke of chiefly interested states and said nothing about declarations of war.

MR. BEVIN pointed out that France, for example, had only declared war on Germany, and nevertheless had fought through the Free French in many theatres of the war.

MR. MOLOTOV said he did not wish to challenge France's role in the war. In some ways France helped Germany, in other ways they helped the Allies.

THE SECRETARY pointed out that some countries, for example, Poland, which were overrun at the beginning of the war were not in a position to declare war, and that France had been in this category.

MR. BEVIN said his first objection to Mr. Molotov's proposals were that it broke up the Council by suggesting different conferences in London and in Moscow.

MR. MOLOTOV said amendments could be added, and he would not insist on Moscow, although he did not see why it was unsuitable.

MR. BEVIN replied that he felt that the Soviet language in naming specific members of the Council as those to convoke the conferences broke up the sense of the Council.

MR. MOLOTOV said he could not agree, since this was in accordance with the correct interpretation of the Berlin decision.

MR. BEVIN then proposed that there be eliminated from Mr. Molotov's draft all mention of the members of the Council, and merely say "the Council shall call a conference in London on such and such a date for consideration of a peace treaty with Italy to consist of the following countries". He added that the actual names of the countries could be included.

MR. MOLOTOV said that there might be something in Mr. Bevin's suggestion, and then the question would be as to who would be invited—would China, who had not declared war on Italy, be invited? He said he saw no reason.

MR. BEVIN replied that that was a question for them to decide—that under his formula the Council would only be the instrument to call the conference. After that it would be a conference.

THE SECRETARY said he agreed with Mr. Bevin that it would be a mistake to give the appearance that our three countries were taking everything into their own hands and convoking conferences without reference to the other members.

MR. MOLOTOV said he felt he could accept Mr. Bevin's proposal if Mr. Byrnes was agreeable.

THE SECRETARY said that he would have to think it over. He added he felt that they had met Mr. Molotov's desires in the first paragraph, that he was chiefly anxious to have some formula for the second which would show that we were not trying to keep matters in our own hands, but wanted to bring in any countries with a legitimate interest.

MR. MOLOTOV then said how would we propose a conference for Rumania if we did not talk with the present government.

THE SECRETARY said he had already told Mr. Molotov of our position, and that he was convinced that by the time the treaties were ready, the Soviet, American, and British Governments would have found some way out of the difficulty. After all, they had been confronted with an equally difficult problem in Poland, although he realized the circumstances were different, yet they had found a solution.

MR. MOLOTOV said he could not agree on this question, and that without the government of Bulgaria as well, the decisions of the Council would be utterly meaningless. Why could not the American and British Governments do in regard to Rumania and Bulgaria what they had done in regard to Hungary? ⁷⁶

THE SECRETARY said this was a good instance in which we had done what we said we were going to do. The President at Potsdam had announced that he would consider in each individual case the question of recognition. We had looked into the matter of Hungary, and had found on the basis of our information that it was possible to recognize the Government. He repeated that he thought we could find some way to get out of this difficulty.

MR. MOLOTOV said, why not agree to recognize these governments after their elections which would be held sometime this fall.

MR. BEVIN inquired on what basis these elections would be held.

MR. MOLOTOV replied, democratic basis, better than that of Greece, and even Italy. He said in Finland satisfactory elections had been held without any outside interference. He said in regard to Rumania and Bulgaria the same would be the case if no one interfered from without.

⁷⁶ Presumably reference is to the steps taken by the United States to establish diplomatic relations with Hungary, news of which had reached the newspapers by September 26. For documentation on this subject, see vol. iv, pp. 798 ff.

THE SECRETARY said the other day that Mr. Molotov had inquired about two Rumanian political figures, but he had told him that the United States was not interested in any particular person or party. He wondered, however, if Mr. Molotov did not have a list of Rumanian political figures not included in the present government. Such a list might give them a basis to start from.

MR. MOLOTOV said that he had no list, and that he did not consider that that was his business.

THE SECRETARY said he understood this, but nevertheless in the case of Poland we had been successful in considering lists.

MR. BEVIN then proposed that three leading ambassadors who had not been connected with these countries might go there to look into the situation and report to their Governments.

MR. MOLOTOV said it was not a question for ambassadors, but for governments.

THE SECRETARY said he favored Mr. Bevin's suggestion because, after all, each government could only rely on the reports of its representatives, and that sometimes people who had stayed too long in a spot developed personal sympathies to one side or another, and that Mr. Bevin's suggestion would afford an opportunity of clarifying that information and possibly of uncovering new facts which would permit some decision.

MR. MOLOTOV said he thought Mr. Byrnes was a disinterested person, and that he could give his government good advice. He repeated that without some solution of this question, the decision of the Council would have no meaning.

It was agreed that they would study the latest proposals on procedure.

[Annex]

Proposal by the Secretary of State

[LONDON, September 28, 1945.]

Notwithstanding the decision of the Council of Foreign Ministers regarding the participation of members of the Council, adopted September 11, in the drawing up by the Council of treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland, only members of the Council who are, or under the Berlin Agreement are deemed to be, signatory of surrender terms, will participate, unless the Council takes a further decision under the Berlin agreement to invite other members to participate on questions directly concerning them.

The Council will convoke a Conference under the provisions of II, 4 (ii) of the Berlin Agreement for the purpose of considering treaties

of peace with Italy, Rumania, Bulgaria, Hungary and Finland. The Conference will consist of the five members of the Council, which also constituted the five permanent members of the United Nations Security Council, together with all European members of the United Nations and all non-European members of the United Nations which supplied substantial military contingents against European members of the Axis. The Conference will be held in London and will begin its proceedings not later than 1945. It will take as the bases for its discussion reports of the Deputies with any modifications agreed upon by the governments of the Deputies in question.

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

*Record of Decisions of the Twenty-Sixth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 28, 1945, 5 p. m.*⁷⁷

C.F.M.(P) (45) 26th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin (Chairman)	Mr. Byrnes	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih-Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Victor Hoo	
M. Alphand	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

ITEM 1. LIST OF ITEMS STILL OUTSTANDING

The Council of Foreign Ministers accepted the attached list (Annex) of items still outstanding for the First Plenary Conference as a basis of future work.

ITEM 2. PROCEDURE OF DEPUTIES

It was agreed to delete this subject from the list of outstanding items.

ITEM 3. PROCEDURE FOR FURTHER DISCUSSION OF PEACE TREATIES

It was agreed to defer consideration of this matter until the next meeting of the Council.

⁷⁷ As the discussion at this brief meeting was confined to procedural matters, the United States delegation minutes of the meeting are not printed.

[Annex]

First Plenary Conference

LIST OF ITEMS STILL OUTSTANDING

<i>Subject</i>	<i>Record of Decision</i>
1. <i>Procedure of Deputies</i>	12th Meeting, Minute 7
2. <i>Procedure for further discussion of Peace Treaties</i>	17th Meeting
3. <i>Italian Treaty</i>	
(a) Dodecanese Islands: Disposal and demilitarisation	12th Meeting
(b) Reparations: Reservation by United States Delegation	12th Meeting
4. <i>Treaties with Finland, Roumania and Bulgaria</i>	
(a) Limitation of military establishments in the case of Finland British reservation	13th Meeting
(b) Admission to United Nations Organisation British reservation	13th, 14th and 16th Meetings
(c) Control of Danube Proposal that Roumania and Bulgaria should be required by Peace Treaty to adhere to any International agreement which may be concluded for the control of the Danube (British and U.S. Proposal)	14th and 16th Meetings
(d) Roumanian-Hungarian frontier (Transylvania)	14th Meeting
(e) Bulgarian-Roumanian frontier (Dobruja)	16th Meeting
(f) Further discussion of United States memorandum on Bulgarian Treaty (C.F.M.(45) 36)	
5. <i>Hungarian Treaty</i> Memoranda by Soviet, British, United States and French Delegations not yet discussed.	C.F.M.(45) 4, 24, 27 and 40
6. <i>Austria: Food Supplies</i> Further report to be made by Deputies	25th Meeting
7. <i>Restitution</i> Report to be made by Deputies on time-limit (paragraph 2 of French resolution)	24th Meeting, Minute 2

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twenty-Seventh Meeting of the Council of Foreign Ministers, Lancaster House, London, September 29, 1945, 11:30 a. m.

C.F.M.(P) (45) 27th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes	M. Molotov (Chairman)
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih-Chieh	
M. Couve de Murville	Dr. Wellington Koo	
General Catroux	Dr. Hollington Tong	
M. Alphand	Mr. Yang Yun Chu	
	Mr. Hsich Kwang-Tsien	

1. AUSTRIA: FOOD SUPPLIES

The Council approved the despatch of telegrams by the Governments of the United Kingdom, United States, Union of Soviet Socialist Republics and France to their representatives on the Allied Council in Vienna instructing them to examine long-term supply arrangements for Austria in the light of the data received from the Control Commissions in Roumania, Bulgaria, Hungary and the Governments of Yugoslavia and Czechoslovakia as requested in the telegram already approved by the Council (C.F.M.(45) 65⁷⁸).

2. RECORD OF DECISIONS OF THE COUNCIL

The Council began consideration of the Daily Records of Decisions of the first 26 Meetings of the Council.⁷⁹

740.00119 Council/9-1145

*United States Delegation Minutes of the Twenty-Seventh Meeting of the Council of Foreign Ministers, London, September 29, 1945, 11:30 a. m.*⁸⁰

Mr. Molotov in the Chair

⁷⁸ September 28, 1945, not printed; for the original draft of the proposed telegram to the representatives on the Allied Council, see footnote 70, p. 429. For text of the telegram as agreed upon by the Council of Foreign Ministers, see the first message quoted in telegram 10181, Delsec 86, from London, October 1, vol. III, p. 620.

⁷⁹ C.F.M.(45) 66, September 29, "Decisions of First Plenary Conference", p. 456.

⁸⁰ For the list of participants at this meeting, see the Record of Decisions of the 27th Meeting, *supra*.

MOLOTOV: May we begin? Any suggestions in regards the agenda? We must hear the Deputies.

CAMPBELL: The Deputies met this morning at 10 o'clock to continue the discussion of food supplies for Austria and the question of restitution.⁸¹ On the question of food supplies they agreed to the text of a telegram from the British, the American, French and Soviet Governments to their representatives on the Allied Commission in Vienna.⁸² This telegram informed the Allied representatives on the Allied Commission of the telegram dispatched to the Allied Commissions in Hungary, Rumania, and Bulgaria, and to the governments of Czechoslovakia and Yugoslavia. The telegram inquired whether in the above countries supplies of foodstuff were available which could be used to supply Austria. With the permission of the Council I will read the text of the telegram. "The following communication has been sent to the Allied Control Commission in Bulgaria, Rumania, and Hungary, and to the governments of Czechoslovakia and Yugoslavia.["]

MOLOTOV: We all have the draft. We can dispense with reading it. I think everybody is familiar with it. Any objection to this text? (There was no objection). The proposal of the Deputies is accepted.

CAMPBELL: Now, the further question of the scale of calories was discussed and on this matter no agreement was reached, and the matter was deferred by the Deputies for further discussion among them. Reference was also made to the necessity to find means of dealing with the immediate food shortage in Austria. This was also referred for further discussion by the Deputies.

On restitution the discussion was begun on the basis of the second paragraph of the French proposal. No conclusion was reached on this matter which was also referred to the next meeting of the Deputies. The Deputies expressly desire to receive instructions from the Council in regard to their next meeting.

MOLOTOV: Any observations on this? Since it is clear that nothing remains for us to do now could we agree as to the date when we should wind up the work of the Council? And, accordingly the work of the Deputies will also be done as it is linked up with the work of the Council.

BYRNES: Mr. Chairman, I wondered if we could not ascertain what progress is being made by the protocol committee. The Council would take that matter up for consideration with the communiqué

⁸¹ The minutes of the sixth Meeting of the Deputies, September 29, 1945, are not printed (Council of Foreign Ministers Files: Lot M-88: CFM Deputies Minutes).

⁸² For the agreed text of the telegram, see the first message quoted in telegram 10181, Delsec 86, October 1, from London, vol. III, p. 620, for onward transmission to General Clark.

committee because not until we have an opportunity to know the situation as to those two committees will it be possible for us to set a time for adjournment.

MOLOTOV: Certainly these questions are not so complicated as to make it impossible for us to envisage the date—the question of the communiqué and the protocol.

BEVIN: I take it there is no question of the protocol and communiqué being completed? That is to say we are going to have a protocol and we are going to have a communiqué, are we not?

MOLOTOV: I hope that we shall be able to finish both the protocol and the communiqué today.

BYRNES: Mr. Chairman, I have just a memorandum here from the United States representative on the Committee and, of course, there are a number of matters that are not agreed to. We might well take it up and see if we can agree to it and make some progress.

MOLOTOV: Any objection to our passing on to the discussion of the protocol? No objection? Shall we turn to it?

BYRNES: Mr. Chairman, the memorandum that I have sets forth the items that have not been agreed to by the Committee. It is paper No. 66,⁸³ and I think we can save time if we would pick up the matters which the Committee has not been able to agree upon and see if we could give them instructions.

MOLOTOV: I have not got that memorandum. Nevertheless I am prepared to discuss and I hope we will be able to agree.

BYRNES: Mr. Chairman, just a minute. I want to talk to our representative on the Committee.

MOLOTOV: So do I.

BIDAULT: I am quite willing that matter be taken up.

BYRNES: Mr. Chairman, the first item—I want to ask if you have before you a copy of the protocol that has been agreed upon up to this date. I am told that the first item is a question raised by the French Delegation and refers to the agenda, and I suggest, therefore, that the French state what their case is.

MOLOTOV: I do not know that there is any divergent view on this question. I think that we could begin with protocol number one⁸⁴ and see if there are any amendments and then take up the following protocols in their order.

[Here follows a discussion of the record of decisions reached at each of the first 26 meetings of the Council of Foreign Ministers as con-

⁸³ C.F.M.(45) 66, September 29, "Decisions of First Plenary Conference", p. 456.

⁸⁴ For the Agreed Record of Decisions of the first meeting of the Council, September 11, see annex 1 to C.F.M.(45) 66, September 29, p. 458. See also the Record of that meeting, p. 112.

tained in C.F.M.(45) 66. The Council proceeded to consider these Records of Decisions in order. Final decision on the 5th and 16th Meetings was deferred until the following meeting. The 1st, 6th, 10th, 12th, and 14th Meetings were approved with amendments. The other Records of Decisions through the 19th were approved without amendment. In concluding its meeting, the Council agreed to consider at their next meeting the remaining points of disagreement in the Records of Decisions of the 5th, 16th, and 20th-26th Meetings.]

Council of Foreign Ministers Files : Lot M-88 : CFM London Decisions

Record of Decisions of the Twenty-Eighth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 29, 1945, 3 p. m.

C.F.M.(P) (45) 28th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir. A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault
M. Couve de Murville
General Catroux
M. Alphant

CHINA

Dr. Wang Shih-Chieh (Chairman)
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

1. RECORD OF DECISIONS OF THE COUNCIL

The Council completed their consideration of the Daily Records of Decisions of the first 26 Meetings of the Council. These Records were approved, with amendments.

2. PROCEDURE FOR PREPARATION OF PEACE TREATIES

The Council considered proposals submitted by M. Molotov and Mr. Byrnes regarding the procedure to be followed in the preparation of the Peace Treaties.

The Council agreed to resume their discussion of these questions at their next Meeting.

3. PROTOCOL AND COMMUNIQUÉ

The Council instructed the Protocol Committee and the Press Communiqué Committee to prepare, for consideration at their next meeting, drafts of a final Protocol and Communiqué relating to the work of the First Plenary Conference of the Council.

740.00119 Council/9-1145

*United States Delegation Minutes of the Twenty-Eighth Meeting of the Council of Foreign Ministers, London, September 29, 1945, 3 p. m.*⁸⁵

Mr. Wang in the Chair

WANG: The meeting is open. We will now discuss Article 16.

MOLOTOV: I should like to ask that the following proposal of the Soviet Union should be discussed. I am going to read out the draft proposal: "Notwithstanding the decision of the Council of Ministers regarding the participation of the members of the Council adopted on September 11 in the drawing up by the Council of peace treaties with Italy, Rumania, Bulgaria, Hungary and Finland, only members of the Council who are or were under the Berlin Agreement deemed to be signatories to the surrender terms will participate unless and until the Council takes affirmative action under the Berlin Agreement in order to invite the participation of other members or governments directly concerned in them".⁸⁶ I shall not dwell at length on the reasons for these proposals as I have already talked with each of the Foreign Ministers on this subject and we, all of us, know well that this proposal of the Soviet Delegation is prompted by the desire to place all the Foreign Ministers on equal footing on the questions which they discuss and decide, and on the other hand by the desire to give effect to the reservation contained in the Berlin decision. The proposal of the Soviet Delegation is prompted only by their desire to abide by the Berlin decision.

BEVIN: I suggest that this be adjourned and we finish the protocol——

WANG: I think we proceed to the unfinished part of the protocol——.

MOLOTOV: With respect to the proposal made by the Soviet Delegation, it is prompted by the fact that we are now discussing the records of our meeting and in one of them a decision is recorded which we challenge and which we suggest could be canceled. It is well known that the records of the meeting of September 11 contain a decision which the Soviet Delegation proposes should be changed and in view of the fact that we are now discussing the records we propose that we should settle it.

BEVIN: The only discussion in the record is what we have agreed already.

MOLOTOV: I want to distribute now the text of the proposal that I have now read and suggest that we adjourn for ten minutes in order to give ourselves the opportunity of familiarizing ourselves with it.

⁸⁵ For the list of participants at this meeting, see Agreed Record of Decisions of the 28th meeting, *supra*.

⁸⁶ For the full text of the Soviet proposal as circulated to the Council, see C.F.M. (45) 83, September 30, p. 474.

BEVIN: I object—I object to this proposal. We were discussing the protocol before lunch and I object to this practice of jumping in with another proposal before we have completed the part we were on. I am quite willing to consider anything any delegation puts before us but when we are in the middle of considering another subject these things just waste time. I think it is a wrong attitude and I ask Mr. Molotov to be as fair to us as we have been to him. Every time we try to go on with our agenda or to leave a thing behind, every other delegation has agreed to it, and no objection. I do think an attempt to force us into this at this time is a wrong thing.

WANG: As the Chairman, I think Mr. Bevin's suggestion is to finish the unfinished part of the proposal on the agenda and proceed to finish the other matter.

MOLOTOV: I agree with the proposal made by the Chairman and Mr. Bevin and I make the following amendment to my proposal: I suggest we complete the examination of the records beginning with the twentieth meeting and proceeding further on and then when we have come to examine the records of the fifteenth [*fifth?*] and sixteenth meetings, which have not been agreed upon, I suggest we examine the first meeting, then coming to the fifth meeting and meeting sixteen.

BYRNES: Mr. Chairman, I only want to offer a suggestion. Should we not continue to go through this record. If we reach any point that Mr. Molotov wishes to pass over for the time being, we will pass it, then go on through to dispose of the point. If Mr. Molotov wishes to go back and consider No. 1, No. 5 or No. 16, or whatever, it can be done.

MOLOTOV: The Soviet Delegation does not object to continuing examination of the points which we have not yet completed, but the Soviet Delegation asks to bear in mind the fact that the Soviet Delegation will not be able to sign the record unless the question of changing one of the points recorded in the protocol in No. 1 has been considered.

[Here follows a discussion, begun at the previous meeting, of the records of decisions of the first 26 meetings of the Council as set forth in C.F.M. (45) 66, September 29, page 456. The Council amended and approved the Records of Decisions of the 20th Meeting, September 25, the 22nd Meeting, September 26, the 5th Meeting, September 15, and the 16th Meeting, September 21. For the texts of these Records of Decisions, see pages 359, 384, 186 and 298, respectively. Amendments agreed upon by the Council are indicated in annotations to the texts of the Records.]

WANG: Now we have finished the protocol. There are reservations on the protocol. The Soviet Delegation has asked for a discussion of the record of the first meeting.⁸⁷

MOLOTOV: Now at last the time of the record of the first meeting has come.

BEVIN: I take it that Mr. Molotov agreed that the document of the record of the first meeting was correct as to what was done. What we are asked to discuss now is not the first day's record of the protocol but as to whether we will make a new decision for our future procedure.

MOLOTOV: In other words we made a mistake and we want to put it right. That is the only thing that is required. As for myself, I am ready to admit that mistake. We have violated a decision of the Berlin Conference and we have no authority to do this as far as I am concerned.

BEVIN: I want to be quite clear that this protocol actually goes to the governments exactly as it is up to this point.

MOLOTOV: I hope that the English text of the proposal as well as the Russian text of the proposal has already been circulated to my colleagues.

BYRNES: Mr. Chairman, I am prepared to offer an amendment to the proposal of Mr. Molotov, adding to the second paragraph the following: I asked that it be distributed. The Council will convoke a conference under the provision of II 4 (ii) of the Berlin Agreement for the purpose of considering a treaty of peace with Italy, Rumania, Bulgaria, Hungary and Finland consisting of the five members of the Council which also constitute the five (continues reading text⁸⁸).

MOLOTOV: May I suggest—Mr. Byrnes has made a new proposal which will take some time to study. I appreciate that his proposal is worthy of the closest attention. His proposal is intended to include our work and its results, but I must say it is a new proposal that we have received and the Soviet Delegation is unable to give a reply without first studying it. And therefore the Soviet Delegation proposes that we first discuss the proposal submitted by the Soviet Delegation and then fix the date when we shall discuss the other proposal.

BYRNES: Mr. Chairman, the amendment which I have offered has two paragraphs—the first one is the amendment, a copy of which I gave Mr. Molotov yesterday.⁸⁹ The only new thing is the last 4 lines and those 4 lines say only this: "After full hearing and discussion by

⁸⁷ Record of Decisions of the first meeting of the Council of Foreign Ministers, September 11, annex 1 to C.F.M. (45) 66, September 29, p. 458.

⁸⁸ For the full text of the United States proposal, see C.F.M. (45) 84, September 30, p. 475.

⁸⁹ For text of the proposal by the Secretary of State, September 28, handed to Molotov on that date, see p. 438.

the invited states the final approval of the terms of the treaties of peace will be made by those of the invited states which were at war with the enemy states in question." I asked that it be considered as an amendment; it would be impossible for me to consider the first proposal unless the second one is considered at the same time. Therefore, I suggest that the first paragraph be set for consideration on the same day that the second paragraph is set for consideration. Because there is a change I could not insist that Mr. Molotov consider it today, but we can fix some day next week when the two can be considered together.

MOLOTOV: The Soviet Delegation must state that Mr. Byrnes has raised new questions in his so-called amendment and the Soviet Delegation is unable to reply without communicating with its Government.

BYRNES: The whole thing is a new question. If Mr. Molotov wants to communicate with his Government and if Mr. Molotov wants time to consider, it is entirely agreeable to me. I have only said that I want the two considered at the same time. They are the same proposal.

MOLOTOV: It will be hardly possible to dispose of the question without my reporting personally to the Government.

BYRNES: Mr. Chairman, I think it would be entirely proper if we adjourn until Mr. Molotov can communicate with his Government, then we can take the question up.

BIDAULT: The French Delegation desires to make a declaration: The French Delegation maintains and adheres to the procedure adopted in common at the Council of Foreign Ministers on the 11th of September, a procedure which can only be modified by the unanimity of the members of the Council. The French Delegation cannot express its opinion on any modification of an agreement reached without referring to its Government. It desires only to draw the attention of the members of the Council to the extreme seriousness and gravity of the question raised at the end of the session and to the consequences of a settlement on the continuation of our work. That is all.

WANG: Both of these proposals are new. The Chinese Delegation cannot agree to any change in the procedure adopted without consulting its Government.

MOLOTOV: I am unable to express my observation on Mr. Byrnes' proposal as a whole. I have already stated that I can do so only after my personally reporting to my Government on the subject, but I have a preliminary observation to make now. I consider that the proposal of Mr. Byrnes runs counter to the Berlin decision and it is based on the procedure of discussion of peace treaties with Italy, Bulgaria, Rumania, Hungary, and Finland different from that adopted in the Berlin decision. In as much as this proposal conflicts with the Berlin

decision the Soviet Delegation cannot agree to accept it for consideration.

BYRNES: Mr. Chairman, the proposal I recently submitted does not conflict with any provision of the Berlin agreement. The Berlin agreement provides that the Council may convoke a formal conference of the states chiefly interested in seeking a solution of the particular problem. The only question, therefore, that could be raised at all is whether or not states invited would be states chiefly interested in seeking a solution of the particular problem. The problem presented is the making of a peace with Italy, Rumania, Bulgaria, Hungary, and Finland, and I think all will agree that the provision that the five permanent members of the United Nations Security Council participate is within the language in the intent of the Berlin agreement. The five permanent members of the United Nations Security Council are charged with maintaining peace in the world and certainly they are chiefly interested in any peace settlement which they must hereafter protect. And another group invited to this conference would be European members of the United Nations and certainly the states of Europe that are members of the United Nations are interested in any settlement growing out of the second war because two world wars have proven to them that they are interested whenever a war starts in Europe. The third group are all non-European members of the United Nations which have supplied substantial military contingents against the European members of the Axis. I have no doubt in my mind that the Heads of Government who arrived at the Berlin agreement would say that the nations outside of Europe that gave up men to fight and die are interested in any settlement in Europe. And what do we offer them? Nothing more than the opportunity to come and be present at the final discussion with reference to a peace treaty. For it provides in the last paragraph that after hearing a discussion by the invited states the final approval of the terms of the treaties of peace will be made by those of the invited countries who were at war with the enemy states in question. No government will advocate that a settlement can be made between an enemy state and a United Nation and not submit the treaty to the states that were at war. What does the Berlin agreement say? It says the important task of this Council is to draw up what? To draw up with a view to their submission to the United Nations treaties of peace with Italy and these other governments. That is what the Heads of Government said the Council should do—to draw up treaties that could be submitted to the United Nations. That is all that my amendment seeks to do—to convoke a conference so that in accordance with the Berlin agreement the treaties that were drafted by the direction of this Council shall be submitted to the United Nations who were at war. Today in the minutes we were

approving invitations to be extended to some nations to have an opportunity to come and present their views. Why not convene this conference and give to the nations that are chiefly interested an opportunity to come and sit with us and express their views about treaties that are to affect the lives of their peoples? I respect the views of the representative of the Soviet Government with reference to the Berlin agreement. On the 11th of September we agreed to ask the 5 members of the Council to participate though they could not vote as to these peace treaties. On Sept 22 he stated that he could not continue because he believed that it was a mistake on his part and that it was in violation of the Berlin agreement. The Berlin agreement authorized the Council to invite members but my good friend from the Soviet Republic says that he does not consider that the action on the 11th was an invitation and cannot see his way clear to do it now. In the course of that, I made this proposal. I submit that it does not violate the Berlin agreement and it would give us an opportunity to broaden the list of governments participating instead of narrowing it. And the people of many nations who are called upon to fight wars—they believe that those nations ought to have something to do with making the peace. Today the world is expecting us to act—is expecting us to reach an agreement, and we cannot leave this conference without reaching an agreement that will give the people of the world confidence in the settlement which is made.

MOLOTOV: Mr. Chairman, in connection with the observations made by Mr. Byrnes I would like to say as follows: Mr. Byrnes raised the question of the peace treaties. This is worthy of being discussed and is in harmony with the Berlin decision. I have only stated that the Soviet Delegation would find it difficult to express their views until the question has been personally reported to the Government. I have not objected to convoking a conference which follows from paragraph 4 of the Berlin decision. I have only made a preliminary observation concerning the procedure for consideration of this question and I hold that the proposal made by Mr. Byrnes concerning the procedure is in conflict with paragraph 3 of the Berlin decision.

Will you please read the Berlin decision, items A and B? Under this decision the preparation of the peace treaties will be entrusted to definite states whereas Mr. Byrnes suggests differently. Under the Berlin decision a conference can be convoked, and is to be convoked, as well as the question of convoking the conference should be decided by those states who are engaged in the preparation of peace treaties and Mr. Byrnes suggests a different procedure which runs counter to that established by the Berlin decision. The Soviet Delegation holds that the question of convoking a conference should be decided by those states which are signatory to the surrender terms. Does not Mr. Byrnes agree with the fact that the question of convoking a con-

ference should be decided by those states who are signatories of the terms of surrender? If Mr. Byrnes agrees with this then the Soviet Delegation associates itself with him. But if Mr. Byrnes suggests a different procedure, then the Soviet Delegation cannot participate in this question. I think that it has already been stated we have raised the question for discussion at the Council in as much as the question raised by Mr. Byrnes should be settled by the states who are signatories to the terms of surrender. I cannot offer advice to Mr. Byrnes since he knows the state of affairs as well himself, but if I could give advice to him then my only advice to him would be to withdraw this from discussion.

BYRNES: If I were asked to agree that the Berlin agreement would authorize the calling of the conference by the entire Council, I answer "yes". Let me read the words of the agreement. "The Council may adapt its procedure to the particular problems under consideration"—not the Council excluding one or two members, but the Council, which Council was established by the Heads of Government as composed of five members, it says "in some cases it may hold its own preliminary discussion prior to the participation of other interested states," and it says, "in other cases the Council"—not part of the Council, or half of the Council, but the Council—"may convoke a formal conference of the states chiefly interested in seeing a solution of the particular problem." Now the Berlin agreement does say in the paragraph to which my friend has called attention that in the preparation of treaties for instance, that the Council will be composed of members representing states that were signatory of the terms of surrender. Now the first paragraph should meet your proposal. Provision would be made for doing your preparation of the treaty—for preparing the treaty in accordance with the view which my friend has heard. The calling of the conference is an entirely different thing and when the Berlin agreement said the Council may convoke a conference of the chief states interested, no one certainly will contend that it is intended here by that language that the Council could invite states outside, yet could not ask its own members. And last of all certainly the Council could invite the five permanent members of the Security Council—the Council that will be charged with preserving the peace and what harm would it do to invite the permanent members of the Security Council and the members of this Council to sit in with a conference with a number of states that are interested in the peace settlements? I submit to my good friend that the Council call the conference and we are talking now about our friends—about those who are allied with us in winning this war and when we could fight in a common cause I can't see why we can't ask these United Nations who were at war in a common effort to make peace?

MOLOTOV: I can go on. I want to reach an understanding on this question. There may be disagreement among us or we may hold different views, but there must not be any misunderstanding on what we have accepted together. Why does the Berlin Conference—Why did the Berlin Conference stipulate that the preparation of peace treaties should be entrusted to the states that were signatories to the terms of surrender? That seems to me to be clear. It is only the states that participated in the discussion of the surrender terms. Other states may be wiser but they have not participated in these discussions. The decision of the Berlin Conference was based on the assumption that the working out of peace terms should be entrusted to those states who took part in the preparation of the terms of the surrender. It will be difficult for those states to participate in the preparation of peace treaties which have not participated in the working out of surrender terms. They are not acquainted with many details and not through fault of their own it will be difficult for them to. Mr. Byrnes has agreed with my proposal to entrust the preparation of peace treaties to those states that are signatories to the surrender terms. I am grateful to him for his agreement. My opinion is that if we agree to entrust the preparation of peace treaties to those states that are signatories to the terms of surrender they must decide when the Conference should be convoked; that it will be very difficult for those states who have not participated in this preparatory work to decide the question of when and how the Conference should be convoked. We shall assign a very hard task to them if we make them responsible for the settlement of a question in the preparation of which they have not participated. To sum it up we have to reach an understanding as to who will be charged with the preparation of peace treaties. I base myself upon the understanding reached with Mr. Byrnes that this task should be assigned to the states who are signatories to the terms of surrender. If this is so then I think that the settlement of the question of when and what conference should be convoked for consideration of peace treaties should be settled by the Governments who have been engaged in the preparation of the peace treaties. That is why I suggest that the question raised by Mr. Byrnes be withdrawn from discussion at this meeting.

BYRNES: Mr. Chairman, I want to clear up one matter: that is that the statement that I am agreeing to the proposal offered by Mr. Molotov. I thought I had made it clear I would not do it unless he agrees to the proposal that I have offered. I object to the consideration of the first proposal offered by him at any time unless at the same time my proposal is considered. I do not desire to prolong the discussion. I am entirely willing that the matter be deferred until tomorrow or to some time when Mr. Molotov would be disposed to discuss the second paragraph.

BEVIN: Mr. Chairman, I almost made myself a promise during the week I would discuss procedure no more like the French Delegation, but I could not let this discussion go by without making just a couple of observations. As I understand Mr. Molotov stands strictly on paragraph A 3(2). When people put legality in such a tremendous position then compromises become very difficult. Whatever may be the legal view of those two paragraphs taken out of their context from all the others, the moral right of the decision on the eleventh stands out quite clear from all the discussion we have had this afternoon. But whatever our views may be about paragraph 3 I can't help think Mr. Molotov was absolutely wrong with respect to the other paragraph with regard to convoking the conference. If we could agree that when it comes to the conference stage where it is a matter of finally settling peace, whether it comes under one set of treaties or another, when we get to that stage the Council I thought under the paragraph drawn up at Berlin could act; and therefore if there is a doubt about the legal aspect of paragraph 3 we might be able to resolve that; but to be asked to give way not only on 3 too but [if?] then you have taken all the powers away from the Council to convoke a conference, it seems to me to place us in a very difficult position at this time.

There seem to be three phases that must be cleared up for the future.

- 1) Is it the Council that has got the power to convoke the conference?
- 2) Should a conference be called? We agreed a conference should be called.
- 3) Should we finish the peace treaties under the strict legal definition—of the preparatory work—under A 3(2).

If that could be cleared up, I don't know whether it can or not, I am not going to show how it can be done. I am merely going to pose it as I see it. We have followed the procedure for all these days until it is now decided to change it then I think it is reasonable that we should come to a conclusion so that this problem will not arise again. We can consult our Governments. I am better off than anybody. I can consult my Government here. That does not mean I will not get into difficulties when I do consult them.

BYRNES: In as much as we do not seem to be able to agree tonight I suggest that we might consider authorizing the Communiqué Committee to prepare a communiqué so far as the Council has agreed today on this record and then we adjourn until tomorrow afternoon at 3:00 to see if by that time we can agree.

MOLOTOV: I want to answer the questions of Mr. Bevin. The first question is whether the conference should be convoked by the Council. Yes, the conference should be convoked by the Council, if it is convoked as laid down by Article 3, paragraph 2. The second question is whether this Council should be convoked. This will be decided by

the Council composed as indicated. The third question is whether the preparation of the peace treaty should be conducted in strict accordance with paragraph 3 of the Berlin decision and the answer is self-evident. Yes, it must be done in accordance with the Berlin decision as this constitutes our mutual agreement. The Soviet Delegation feels that the moral requires of us to carry out the decisions of our own.⁹⁰ If it is in accordance with the Berlin decision then the Soviet Delegation will participate in the further discussion of the question. A different view of this matter can serve only to repeating and deepening the mistake which was made.

BIDAULT: I have taken, Mr. Chairman, no share in the day's discussion of the interpretation of the text about which I do not know under what conditions and to what extent they were adopted by the other members of our Council. The only rule to which I can associate is the one which is laid down by our decisions of the 11th of September. I insist on the extreme importance which the French Delegation attaches to the participation of peace in Europe. No alteration could be taken to our decision of the 11th of September—could be acceptable to us without the decision of our Governments—but I don't know when the decision of the French Government can be taken. It is highly probable that by tomorrow morning that will not have taken place. For the time being the French Delegation cannot participate in the discussion—it does not consider itself authorized.

BYRNES: Mr. Chairman, I renew my suggestion that in as much as we have gone through the minutes that we instruct the communiqué committee to go to work on the preparing the communiqué based on whatever has been agreed to this morning. Then if that were done then we could meet at 3:00 tomorrow afternoon. We could consider whatever that committee reports and we can at least finish that work—go as far as we can.

MOLOTOV: I have another suggestion to make. I think the preparation of a communiqué should be proceeded with when the protocol has been made.

BYRNES: I agree then at the meeting tomorrow morning we can take up the protocol.

MOLOTOV: Even in accordance with the decision of the 11th of September we ought to prepare several kinds of protocols—a protocol of three concerning the Balkan treaties, then the protocol of the four concerning the peace treaty with Italy, then a protocol of two concerning Finland, then a protocol of the five concerning all the remainder. It is not my fault that the decision of September 11 pro-

⁹⁰ The British record of this meeting (not printed) contains the following version of this sentence: "M. Molotov added that as regards the morality of this decision, the Soviet Delegation felt that morality required them to carry out the decisions of the Berlin Conference." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

vides that not all the colleagues have equal rights in the Council of Ministers because some of them decide where others only discuss. We must carry out our decision of September 11. At least to the extent to which it does not run counter to the Berlin decision.

BEVIN: I think this Conference ought to move from here to a musical hall and forget about the decision adopted.

BYRNES: Mr. Chairman, I think really we ought to have the Protocol Committee meet. A mere statement of the differences—so that it is important that we should have this Committee meet because certainly we are not going to adjourn without making an effort to get together on the protocol. We have done so little that we ought to tell the world what has happened. The Protocol Committee could meet tonight. I think that, as my friend suggests, that the Protocol Committee can find a way of stating that it is thought desirable as to certain matters only certain members of the Council vote on it but I don't know that I would seriously urge having three of [*or*] four protocols. We could put in one protocol just what the facts are. My recollection is that at Berlin the Communiqué Committee met along with the Protocol Committee and this saved a lot of time. Let us appoint members if we have to. They could meet tonight so that they could give us something to do tomorrow.

WANG: We shall put it that the Protocol Committee and the Communiqué Committee shall meet together. I suggest that the Deputies meet tomorrow at 10:00 to complete their work.

MOLOTOV: May I speak? I feel that the protocol must be signed by the respective ministers. Am I right in my understanding? Is that acceptable for that purpose? Then we must indicate the names of those who were present at the deliberation and the protocols must be signed as regards Finland by two, as regards the Balkans by three, as regards Italy by four, and as regards the remaining questions by five ministers.

BEVIN: I think the protocol should be drawn up and we should consider the problem of signing tomorrow.

MOLOTOV: The Soviet representative will be guided by the observation I have just set forth.

BYRNES: Mr. Chairman, may I understand if they could meet then we could think over how it should be signed whether if the protocol noted that only Great Britain and the Soviet Republics participating in the vote in regard to the treaty with Finland then we can decide when the United States signs except as for items numbers so and so on which it did not vote.

BEVIN: I suggest the text of the protocol be drawn up and then we discuss the methods of presentation to the Governments tomorrow.

MOLOTOV: I have found it necessary to make known the view of the Soviet Government.

(It was decided that the Communiqué and Protocol Committees should meet that evening at 10:00 and the Deputies the following morning at 10:30 and the Council the following afternoon at 3:00.)
The meeting adjourned.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the Joint Secretariat to the Council of Foreign Ministers

C.F.M.(45) 66

LONDON, 29 September, 1945.

DECISIONS OF FIRST PLENARY CONFERENCE

1. A summary record is attached of the decisions reached at each of the first twenty-six Meetings of the Council.⁹¹

2. On the following points the Secretaries of Delegations are unable to reach agreement and a decision by the Council is required:—

(1) AGENDA FOR THE CONFERENCE: 1ST MEETING, ITEM 2

In paragraph (3) the Soviet Delegation consider that the words in square brackets should be omitted.

(2) ITALIAN COLONIES: 5TH MEETING, ITEM 4

There is disagreement about the decision reached by the Council regarding the Governments to be invited to express their views to the Deputies on the problem of the Italian Colonies.

Four of the Delegations consider that it was the intention of the Council to give the Deputies a discretion to consider any views presented to them on this question by any of the Governments invited to express their views in writing on the terms of the peace settlement as a whole; and that this included a discretion to decide whether any of these Governments should be allowed to express their views orally on this question.

The Soviet Delegation, on the other hand, consider that a firm decision was reached by the Council to invite the Governments of the

⁹¹ Only the Records of Decisions of the first 14 meetings of the Council of Foreign Ministers are printed below. The Records of Decisions for the 15th through the 26th meetings of the Council may be found on pp. 287-439 *passim*. According to a note of September 22, 1945, by Norman Brook, the Secretary General of the Council (not printed), preparation of the records of decisions taken by the Council during its first 14 meetings was undertaken by the Joint Secretariat at the request of the Soviet delegation. The 26 Records of Decisions were amended and approved by the Council in the course of its 27th and 28th meetings, September 29, 1945. The United States delegation minutes of these discussions have not been printed, but the amendments agreed upon by the Council are indicated in footnotes at appropriate places in the records themselves.

British Dominions, India, Byelo-Russia and Ukraine to send representatives, if they so desired, to express their views orally to the Deputies on this question.

(3) ITALY: PROCEDURE FOR PREPARING PEACE TREATY: 10TH MEETING,
ITEM 1

The Soviet Delegation consider that the record should not contain any reference to the statements on procedure made by the representatives of the Australian, New Zealand and South African Governments.

(4) ITALIAN PEACE TREATY: ECONOMIC AND FINANCIAL MATTERS: 12TH
MEETING, ITEM 2

The Council agreed that the Deputies should select from the draft clauses on economic and financial matters, put forward in C.F.M.(45) 3, those which should be included in the Peace Treaty and those which could properly be left to be dealt with in separate bilateral agreements. All Delegations are agreed that the Deputies were directed by the Council to select for inclusion in the Treaty clauses "of general application". Some Delegations consider that the Council also directed the Deputies to select, for inclusion in the Treaty, certain clauses which, though not of general application, are "of special importance".

(5) ROUMANIA: PEACE TREATY: 14TH MEETING, ITEM 2

The Soviet Delegation consider that, in the record of the decision on Financial and Economic Clauses, the words in square brackets, referring to the memoranda by the United States and French Delegations, should be omitted.

(6) BULGARIA: PEACE TREATY: 16TH MEETING, ITEM 2

Some Delegations consider that the Council reached a definite decision that Articles 1 (*d*) and 2 of the Armistice Terms should be taken as a basis for a provision in the Treaty. The Soviet Delegation believe that the Council decided only that further consideration should be given to this question.

(7) REPATRIATION OF SOVIET NATIONALS: 20TH MEETING, ITEM 2

At their 20th Meeting the Council considered a draft resolution on this subject put forward by the Soviet Delegation, and certain amendments proposed by Mr. Bevin were accepted by M. Molotov. The Secretaries of Delegations are, however, unable to reach agreement on the question whether or not the Council finally adopted this draft resolution as so amended.

Alternative versions of paragraph (3) are given in the attached record of the 20th Meeting. The second of these is proposed by the Soviet Delegation: the French Delegation are unable to accept it.

(8) COMMUNIQUÉ OF 20TH AND 21ST MEETINGS: 22ND MEETING, ITEM 1

Alternative versions are given for Item 1. Alternative A is proposed by the Soviet Delegation. It is not acceptable to the other Delegations, who propose Alternative B.

3. The Secretary of the United States Delegation was unable to give more than conditional agreement to the attached record of decisions in the absence of corresponding agreement upon a draft of a final Protocol of the proceedings of the Conference. The Secretary of the French Delegation also reserved his final agreement on the same grounds.

NORMAN BROOK

[Annex 1]

*Record of Decisions of the First Meeting of the Council of Foreign Ministers, London, September 11, 1945*⁹²

1. PROCEDURE OF THE COUNCIL

(a) *Chairmanship*

The Chairmanship should rotate, and the order of Chairmanship should be Mr. Bevin, M. Molotov, Dr. Wang Shih-Chieh, Mr. Byrnes, M. Bidault.

(b) *Meetings*

There should be regular meetings of the Deputies in the mornings and of the Foreign Ministers in the afternoons. The Deputies should prepare the Agenda for the Foreign Ministers and deal with any matters referred to them. Expert Committees might be appointed as required.

(c) *Secretariat*

The following representatives should meet that evening:—

U.S.S.R.	M. K. V. Novikov
U.S.A.	Mr. T. C. Achilles
China	Dr. Victor Hoo
France	M. A. Berard
U.K.	Mr. P. M. Crosthwaite

with Mr. Norman Brook to consider the functions and constitution of the Secretariat and to submit recommendations for consideration on the following day.

(d) *Languages of the Conference*

All the documents of the Council should be prepared in English, Russian and French, and the more important documents should also be translated into Chinese.

⁹² For the record of the Council's first meeting, see C.F.M.(P) (45) 1st Meeting, p. 112.

(e) Competence of Members of the Council

All five members of the Council should have the right to attend all meetings and take part in all discussions, but in matters concerning peace settlements members whose Governments had not been signatories to the relevant Terms of Surrender should not be entitled to vote.

(f) Press Arrangements

A Press Communiqué Committee was appointed consisting of the Press Officers of the five Delegations, who would issue from time to time agreed communiqués recording the progress of the Council's work.

2. AGENDA FOR THE CONFERENCE

The following list of subjects proposed for discussion at the present Conference was considered:—

1. Italy
 - (a) Draft Peace Treaty;
 - (b) Future of the Italian Colonies.
2. Draft Peace Treaties with Roumania, Bulgaria and Hungary
3. Draft Peace Treaty with Finland
4. Withdrawal of Allied troops from Iran
5. International inland waterways
6. Austria (proposed by United Kingdom)
 - (a) Long-term supply arrangements;
 - (b) Possible recognition of central government.
7. Black Sea Straits (United States intention)
8. Review of decisions of the Berlin Conference regarding policy in Germany (French proposal)
9. Review of Berlin Conference's decisions on German fleet and merchant ships (French proposal)
10. Political situation in Roumania (United States intention)
11. Work of the German Reparations Commission (Russian proposal)
12. Hastening of the repatriation of Soviet citizens (Russian proposal).

The following decisions were reached:—

- (1) Items 1–5 above were accepted for inclusion in the Agenda, Items 2 and 3 being amalgamated into a single item.
- (2) On Item 6 (a), a report from the representatives of the four Governments responsible for the Allied Council for Austria should be requested in time for consideration by the Council before the end of the present Conference. Item 6 (b) should be discussed by the Council of Foreign Ministers.

- (3) Items 7, 9 and 10 should not be included [as separate items]⁹³ in the Agenda.⁹⁴
- (4) On Items 8, 11 and 12, the French and Soviet Delegations respectively would submit memoranda, in the light of which the Council would give further consideration to the question whether these subjects should be discussed at the present Conference.
- (5) Further subjects might be added to the Agenda as the work of the Council proceeded.

3. ITALIAN PEACE TREATY: PROCEDURE

The memorandum by the United States Delegation (C.F.M.(45) 2) should be referred for consideration in the first instance by the Deputies.

4. INTERNATIONAL INLAND WATERWAYS

MR. BYRNES submitted for circulation a memorandum by the United States Delegation on International Inland Waterways (C.F.M.(45) 1).

[Annex 2]

*Record of Decisions of the Second Meeting of the Council of Foreign Ministers, London, September 12, 1945*⁹⁵

1. AUSTRIA

The views of the Allied Council in Vienna should be sought on the question of long-term supply arrangements for Austria by telegrams in identical terms from the Governments of the United States, Soviet Union, United Kingdom and France to their respective Commanders-in-Chief in Austria.

The text of the telegram as agreed by the Council is set out in C.F.M. (45) 5.

2. ITALIAN PEACE TREATY: PROCEDURE

The members of the United Nations which were at war with Italy should be invited to submit in writing their views on the Peace Treaty with Italy, without prejudice to any claim they might have to make oral representations to the Council at a later stage.

⁹³ Brackets appear in the original.

⁹⁴ At its 27th meeting, September 29, 1945, the Council of Foreign Ministers agreed to revise this decision to read as follows: "(3) Items 7 and 10 should not be included in the Agenda. The United States representative said that he had not proposed them. The representative of France said that Item 9 was covered by Item 8, and that on this understanding he accepted the deletion of Item 9." (740.00119 Council/9-1145)

⁹⁵ This record was approved by the Council without amendment at its 27th meeting, September 29, 1945. For the record of the Council's second meeting, see C.F.M.(P) (45) 2nd Meeting, p. 125.

The Deputies should consider at their meeting on the following day how the above invitations could best be extended; and what would be the most convenient procedure for arranging which Governments should be invited to make oral representations to the Council at a later stage.

3. PEACE TREATIES WITH BULGARIA, FINLAND, HUNGARY AND ROUMANIA

M. Molotov submitted memoranda by the Soviet Delegation setting out the Soviet Government's suggestions for Peace Treaties with Bulgaria (C.F.M.(45) 6), Finland (C.F.M.(45) 7), Hungary, (C.F.M.(45) 4), and Roumania, (C.F.M.(45) 8).

4. REPATRIATION OF SOVIET CITIZENS

M. Molotov handed in copies of a memorandum on the repatriation of Soviet citizens which was subsequently circulated as C.F.M.(45) 10.

[Annex 3]

*Record of Decisions of the Third Meeting of the Council of Foreign Ministers, London, September 14, 1945*⁹⁶

1. REPARATIONS FROM GERMANY

The Council should consider at their next meeting whether the memorandum by the Soviet Delegation on Reparations from Germany (C.F.M.(45) 15) should be added to the Agenda for the present Conference.

2. REPATRIATION OF SOVIET NATIONALS

The Council agreed that the memorandum by the Soviet Delegation on the acceleration of the repatriation of Soviet nationals (C.F.M.(45) 10) should be added to the Agenda for the present Conference.

3. SECRETARIAT

The report of the Deputies (C.F.M.(45) 12) on the composition and functions of the Joint Secretariat was approved.

4. ITALIAN PEACE TREATY: PROCEDURE

The Deputies should determine the procedure for enabling those of the United Nations who were at war with Italy to express their views in writing on the Italian Peace Treaty.

⁹⁶ This Record of Decisions was approved by the Council without amendment at its 27th meeting, September 29, 1945. For the record of the Council's third meeting, see C.F.M.(P) (45) 3rd Meeting, p. 158.

5. ITALY: DRAFT HEADS OF PEACE TREATY

Dr. Wang Shih-Chieh, as Chairman, was invited to arrange for the Governments of Yugoslavia, of such British Dominions as claimed to be heard, and of Italy, to be invited to send representatives to attend at the meeting of the Council on Monday, 17th September to present their views on the problem of the Yugoslav-Italian frontier and Trieste.

The following decisions were taken on the points of principle set out in the United States memorandum (C.F.M.(45) 16).

SECTION I: TERRITORIAL PROVISIONS FOR ITALY IN EUROPE

(1) The frontier with France will not be changed, except for such minor adjustments as may be approved by the Council on the basis of recommendations to be submitted by the French Delegation and considered in the first instance by the Deputies.

(2) The frontier with Switzerland will not be changed.

(3) The frontier with Austria will not be changed, subject to the decisions to be reached by the Council on any case which Austria may present for minor rectifications in her favour.

(4) Discussion of the proposals in the United States memorandum regarding the frontier between Yugoslavia and Italy should be deferred until the Council had heard the representatives of other Governments who were being invited to attend the meeting on Monday, 17th September.

(5) The proposal in the United States memorandum that the Dodecanese Islands should be ceded to Greece and demilitarised should stand over for the time being.

(6) Italy should be required to renounce all claims in relation to pre-war Albania.

(7) The proposal in the United States memorandum that Pantelaria and Isole Pelagie should be demilitarised should be considered together with the proposals on armaments in Section IV.

(8) Zara and the Dalmatian Islands should go to Yugoslavia.

(9) The island of Saseno should revert to Albania.

SECTION II: HUMAN RIGHTS

Italy shall undertake to maintain a Bill of Rights which will secure the freedom of speech, religious worship, political belief and public meeting envisaged for Italy in the Moscow Declaration of November, 1943;^{96a} and which will also confirm the human rights and fundamental freedoms set forth in the Charter of the United Nations Organisation.

^{96a} For text of Declaration Regarding Italy, see *Foreign Relations*, 1943, vol. I, p. 759.

[Annex 4]

*Record of Decisions of the Fourth Meeting of the Council of Foreign Ministers, London, September 14, 1945*⁹⁷

1. CONTROL AND ADMINISTRATION OF GERMANY

M. Bidault circulated a memorandum by the French Delegation on the control and administration of Germany (C.F.M.(45) 17).

2. REPARATIONS FROM GERMANY

Consideration was deferred of the question whether the Soviet memorandum on this subject (C.F.M.(45) 15) should be added to the agenda for the present Conference.

3. ITALIAN PEACE TREATY: PROCEDURE

Dr. Wang Shih Chieh was invited to despatch letters to the representatives of the Governments of Yugoslavia, Australia, New Zealand, Canada, South Africa, India and Italy, in the following terms:

"At their meeting this morning the Council of Foreign Ministers now in Session at Lancaster House in London agreed to enquire of the Government of whether they wished to represent their views to the Council on the question of the Yugoslav-Italian frontier and the future of the city and port of Trieste.

Accordingly, as the Chairman of the Council of Foreign Ministers on that occasion, I was asked to invite the Government of to nominate a representative, if they so desired to attend the meeting of Foreign Ministers to be held in Lancaster House on Monday, 17th September, at 4.0 p. m. to express the views of the Government on these problems."

4. ITALY: DISPOSAL OF ITALIAN COLONIES

An exchange of views took place. The discussion of these questions should be resumed on Saturday, 15th September, at 3 p. m.

[Annex 5]

*Record of Decisions of the Fifth Meeting of the Council of Foreign Ministers, London, September 15, 1945*⁹⁸

1. POLAND

The Council agreed to consider at their next meeting whether certain representations which had been made by the Polish Provisional Government about the liquidation of the Arciszewski Government in

⁹⁷ This Record of Decisions was approved by the Council without amendment at its 27th meeting, September 29, 1945. For the record of the Council's fourth meeting, see C.F.M.(P) (45) 4th Meeting, p. 166.

⁹⁸ After discussion of this Record of Decisions in the course of the 27th and 28th meetings of the Council of Foreign Ministers, September 20, 1945, it was decided to have item 4(3) read as follows: "The Council also decided to instruct the Deputies to invite the Governments of the British Dominions, India, Byelo Russia, and the Ukraine to send, if they so desired, their representatives to

(Footnote continued on following page.)

London should be considered by the Council during the present Conference.

2. ITALIAN PEACE TREATY: PROCEDURE

A letter in the following terms:—

"The Council of Foreign Ministers, now in Session at Lancaster House, has decided to invite the Governments of the United Nations who have been at war with Italy and who are not represented on the Council, to present to it, in writing, their views on the aspects of the peace settlement with Italy which are of a nature to be of interest to them.

I have therefore been instructed, in my capacity as Chairman of this meeting of the Council of Foreign Ministers to invite your Government to express their views on this question, if they desire to do so. The Council requests that these communications should reach it before the 1st October."

should be sent to the Governments of the following countries through the representative in London of the Government concerned wherever possible:—

Australia, Belgium, Bolivia, Brazil, Byelorussia, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Iraq, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Philippines, Poland, Salvador, South Africa, Ukraine, Yugoslavia.

3. REPARATIONS FROM GERMANY

The memorandum on this subject (C.F.M.(45) 15) which had been submitted by the Soviet Delegation should be added at the end of the items included in the Agenda for the present Conference of Foreign Ministers.

4. ITALY: DISPOSAL OF ITALIAN COLONIES

(1) The Council referred to the Deputies for preliminary consideration the matter of trusteeship for the Italian Colonies, suggesting that they should make the widest use possible of the proposals of the United States Delegation and take into account the views expressed by the other Delegations. The Council agreed that the Deputies may recommend such concrete territorial, economic, or political changes as they may agree upon. In the absence of such agreement as to changes, they shall base their report upon the American proposals, making such individual reports to the Council as they may respectively deem helpful.

(Footnote continued from p. 463.)

express their views orally on the particular question of the Italian Colonies. The Deputies were given discretion to hear any views on this question presented to them by any of the Governments which had been invited to express their views to the Council in writing on the terms of the peace settlement with Italy." The text of this amended Record of Decisions is from the British record of the 28th meeting of the Council, not printed (Council of Foreign Ministers: Lot M-88: CFM London Minutes). For the record of the Council's fifth meeting, see C.F.M. (P) (45) 5th Meeting, p. 186.

(2) The Deputies were asked to present their report on this question to the Governments members of the Council not less than 14 days before the opening of the next Plenary Conference of the Council.

(3) The Deputies were given discretion to consider any views on this question presented to them by any of the Governments which had been invited to express their views to the Council in writing on the terms of the peace settlement with Italy (see Minute 2 above) though no fresh invitations need be issued asking for an expression of views on this particular aspect of the settlement.

ALTERNATIVE

(3) The Council also decided to invite the Governments of the British Dominions, India, Byelo-Russia and Ukraine to send, if they so desired, their representatives to express their views orally to the Deputies on the particular question of the Italian Colonies.

[Annex 6]

*Record of Decisions of the Sixth Meeting of the Council of Foreign Ministers, London, September 17, 1945*⁹⁹

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

The Council agreed upon the following procedure for hearing that afternoon the representatives of the Governments invited to put before the Council orally their views on the problem of the Yugoslav-Italian frontier and Trieste:—

The representatives of Yugoslavia and the three British Dominions should be present throughout the meeting.¹ The views of Yugoslavia should be heard first. The Italian representatives should then be invited into the Conference Room to express their views, and should then be asked to leave. The views of the three British Dominions could be stated after the Italian representatives had left.

2. POLAND

The matters raised in the note from the Polish Provisional Government about the Arciszewski Government should first be dealt with through the diplomatic channel in the ordinary way, but if agreement was not reached by this means could be raised at the next Conference of the Council.

⁹⁹ This Record of Decisions was approved by the Council of Foreign Ministers, with the amendment shown in footnote 1, below, at its 27th meeting, September 29, 1945. For the record of the Council's sixth meeting, see C.F.M.(P) (45) 6th Meeting, p. 202.

¹ At its 27th meeting, September 29, 1945, the Council of Foreign Ministers agreed to revise this sentence to read as follows: "The representatives of Yugoslavia, Australia, New Zealand and the Union of South Africa should be present throughout the meeting." (740.00119 Council/9-1145)

3. CONTROL AND ADMINISTRATION OF GERMANY

The memorandum on this subject circulated by the French Delegation (C.F.M.(45) 17) should be added as Item 8 of the Agenda for the present Conference.

4. ITALIAN PEACE TREATY: DODECANESE ISLANDS

An exchange of views took place about the Dodecanese Islands. It was agreed that further consideration of this question should be adjourned from day to day, and that, if no agreement were reached before the end of the present Conference, the question should be brought up for decision at the next Conference of the Council.

5. ITALIAN PEACE TREATY: ARMAMENTS

Paragraph (1) of Section IV of the memorandum by the United States Delegation (C.F.M.(45) 16) was accepted in the following amended form:—

"The maintenance of armaments for land, sea and air will be closely restricted to (a) the necessities of the maintenance of order in Italian territory and local defence on Italian frontiers; (b) such military contingents, if any, in addition to the foregoing, as may be required by the Security Council."

The restrictions under (a) above would operate only until such time as they were relaxed by the Security Council of the United Nations Organisation.

It was noted that the French Delegation, in putting forward to the Deputies their proposals for minor rectifications of the Franco-Italian frontier, would propose that the Italian side of this frontier should be demilitarised; and that the acceptance by the French Delegation of the paragraph set out above was subject to this reservation.

The Deputies in considering in detail the relevant clauses of the draft heads of the Peace Treaty with Italy (C.F.M.(45) 3), should be guided by the general principles set out above.

[Annex 7]

*Record of Decisions of the Seventh Meeting of the Council of Foreign Ministers, London, September 17, 1945*²

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

The meeting to hear the views of the Governments of Yugoslavia, Italy, Australia, New Zealand and South Africa was postponed until 11.0 a. m. on Tuesday, 18th September.

² This Record of Decisions was approved by the Council without amendment at its 27th meeting, September 29, 1945. For the record of the Council's seventh meeting, see C.F.M.(P) (45) 7th Meeting, p. 209.

2. ITALIAN PEACE TREATY: ARMAMENTS

Pantellaria and Isole Pelagie should be demilitarised.

Italy should be prohibited from constructing any naval, military or air force installations in Sicily and Sardinia, except for such facilities as may be required by the World Organisation or for internal security purposes.

Factory and tool equipment in Italy designed for the manufacture of war implements which is not required for the permitted military establishments and is not readily susceptible to conversion for civilian purposes should be surrendered to the Four Powers for such disposal on reparations account or otherwise as they may determine.

A liberal attitude should be taken towards the production of aircraft and airplane engines for civilian use.

Provision should be made for the establishment of Allied machinery to enforce the naval, military and air clauses of the Peace Treaty (as proposed in paragraphs 56–58 of C.F.M.(45) 3) until such time as Italy can be accepted as a reliable member of the United Nations Organisation.

The Deputies should proceed to consider the detailed provisions of the military clauses of the Peace Treaty in the light of the above general principles on Armaments and those approved at the Sixth Meeting of the Council (C.F.M.(P) (45) 6th Meeting, Minute 5).

3. ITALIAN PEACE TREATY: WAR CRIMES, ETC.

The Deputies should be guided by Section V of the memorandum by the United States Delegation (C.F.M.(45) 16) in their detailed examination of the relevant Sections of the draft Treaty (paragraphs 61–68 of C.F.M.(45) 3).

4. ITALIAN PEACE TREATY: REPARATIONS

An exchange of views took place about Section VI of the memorandum by the United States Delegation (C.F.M.(45) 16) on Reparations from Italy.

[Annex 8]

*Record of Decisions of the Eighth Meeting of the Council of Foreign Ministers, London, September 18, 1945*³

ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

M. Kardelj and M. Leontic made statements of the views of the Yugoslav Government, the text of which is reproduced in C.F.M.(45) 26.

³ This Record of Decisions was approved by the Council without amendment during its 27th meeting, September 29, 1945. For the record of the Council's eighth meeting, see C.F.M.(P) (45) 8th Meeting, p. 225.

[Annex 9]

*Record of Decisions of the Ninth Meeting of the Council of Foreign Ministers, London, September 18, 1945*⁴

ITALIAN PEACE TREATY—YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

(a) *Views of Yugoslav Government*

M. Kosanovic made a statement, the text of which is reproduced in C.F.M.(45) 26.

(b) *Views of Italian Government*

At this point in the meeting, representatives of the Italian Government were admitted to the Conference Room.

Signor de Gasperi made a statement, the text of which is reproduced in C.F.M.(45) 27.

At the end of his statement, Signor de Gasperi obtained the leave of the Council to submit through the Secretariat further statistical and other material in support of his case.

[Annex 10]

*Record of Decisions of the Tenth Meeting of the Council of Foreign Ministers, London, September 18, 1945*⁵

[1. ITALY: PROCEDURE FOR PREPARING PEACE TREATY

Statements were made by the representatives of the Australian, New Zealand and South African Governments on the procedure for consultation with Governments not represented on the Council which were directly interested in the peace settlement with Italy].⁶

2. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

Views of Governments of British Dominions

The views of the *Australian* Government on this question were stated to the Council by Dr. H. V. Evatt. A summary of Dr. Evatt's statement has been circulated separately as C.F.M.(45) 28.

The views of the *New Zealand* Government were stated to the Council by Mr. R. M. Campbell. The text of Mr. Campbell's statement is reproduced in C.F.M.(45) 29.

⁴ This Record of Decisions was approved by the Council without amendments at its 27th meeting, September 29, 1945. For the record of the Council's ninth meeting, see C.F.M.(P) (45) 9th Meeting, p. 226.

⁵ At their 27th meeting on September 29, 1945, the Council of Foreign Ministers approved this Record of Decisions after eliminating section 1 (printed here in brackets). For the record of the Council's tenth meeting, see C.F.M.(P) (45) 10th Meeting, p. 239.

⁶ Brackets appear in the original.

The views of the *South African* Government were stated to the Council by Mr. Heaton Nicholls. A summary of Mr. Nicholls' statement has been circulated separately as C.F.M.(45) 30.

Further views of the Yugoslav Government

M. KARDELJ made a further statement in reply to the views expressed by the representative of the Italian Government at the Council's meeting that afternoon (C.F.M.(P) (45) 9th Meeting).

A summary of M. Kardelj's statement has been circulated separately as C.F.M.(45) 31.

[Annex 11]

*Record of Decisions of the Eleventh Meeting of the Council of Foreign Ministers, London, September 19, 1945*⁷

ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

An exchange of views took place.

[Annex 12]

*Record of Decisions of the Twelfth Meeting of the Council of Foreign Ministers, London, September 19, 1945*⁸

1. ITALIAN PEACE TREATY: YUGOSLAV-ITALIAN FRONTIER AND TRIESTE

The Council instructed the Deputies—

(1) To report on the line, which will in the main be the ethnic line leaving a minimum under alien rule, on the understanding that appropriate investigations will be carried out on the spot before the final delimitation of the frontier.

(2) To report on an international regime which will assure that the port and transit facilities of Trieste will be available for use on equal terms by all international trade and by Yugoslavia, Italy and the states of central Europe as is customary in other free ports of the world.

2. ITALIAN PEACE TREATY: ECONOMIC AND FINANCIAL MATTERS

The Deputies should select from the draft clauses in C.F.M.(45) 3 dealing with economic and financial matters those which ought to be retained in the Peace Treaty as being of [special importance or of]⁹

⁷ This Record of Decisions was approved by the Council without amendment at its 27th meeting, September 29, 1945. For the record of the Council's 11th meeting, see C.F.M.(P) (45) 11th Meeting, p. 248.

⁸ This Record of Decisions was approved by the Council, with the amendment shown in footnote 10, p. 470, at its 27th meeting, September 29, 1945. For the record of the 12th meeting of the Council, see C.F.M.(P) (45) 12th Meeting, p. 254.

⁹ Brackets appear in the original.

general application and should leave the remainder to be dealt with in separate bilateral agreements between Italy and the countries concerned.¹⁰

3. ITALIAN PEACE TREATY: SOVEREIGNTY OF ITALY

The Council agreed that there should be included in the Treaty provision for the restoration of Italian sovereignty and the termination of foreign rights or controls within Italy, except as provided in the Treaty.

4. ITALIAN PEACE TREATY: QUESTIONS OF SPECIAL CONCERN TO CHINA

The Deputies should consider the issues raised in C.F.M.(45) 13 and 14.

5. ITALIAN PEACE TREATY: DODECANESE ISLANDS

An exchange of views took place. Further consideration of this question was again adjourned.

6. ITALY: DISPOSAL OF ITALIAN COLONIES

The Deputies should have discretion to consider any views which the Egyptian Government might submit in writing on the question of the disposal of the Italian Colonies.

7. ITALIAN PEACE TREATY: REPARATIONS

Mr. Byrnes' proposals on procedure should be considered at a later meeting. If these proposals were accepted, it could be agreed that the question of reparations from Italy should stand referred to the Deputies.

[Annex 13]

*Record of Decisions of the Thirteenth Meeting of the Council of Foreign Ministers, London, September 29, 1945*¹¹

1. PROCEDURE: PUBLICATION OF DECISIONS OF COUNCIL

Future communiqués should not include decisions reached by the Council unless the Council had agreed that those decisions might be published.

¹⁰ At its 27th meeting, the Council revised this item to read as follows: "The Deputies should select from the draft clauses in C.F.M.(45) 3 dealing with economic and financial matters those which ought to be retained in the Peace Treaty as being of general importance, and should leave the remainder to be dealt with in separate bilateral agreements between Italy and the countries concerned." (740.00119 Council/9-1145)

¹¹ This Record of Decisions was approved by the Council without amendment at its 27th meeting, September 29, 1945. For the record of the Council's 13th meeting, see C.F.M.(P) (45) 13th Meeting, p. 269.

2. FINLAND: PEACE TREATY

An exchange of views took place between M. Molotov and Mr. Bevin regarding

- (a) The British proposal that the Peace Treaty with Finland should contain provisions limiting Finland's military establishments, and
- (b) M. Molotov's suggestions on the procedure for giving further consideration to the draft Treaty.

No agreement was reached on these points, and the provisional decisions set out below are subject to such an agreement being reached.

Continuance of Military Facilities (paragraph 4 of C.F.M.(45) 25)

On the conclusion of the Peace Treaty facilities of a military nature would no longer be required of the Finnish Government.

Return of Allied Vessels etc. (paragraph 5 of C.F.M.(45) 25)

Further consideration should be given to the need for a provision in the Treaty on the lines of Article 18 of the Armistice terms dealing with the return of Allied vessels.

Resumption of Diplomatic and Consular Relations (paragraph 6 (i) of C.F.M.(45) 25)

A provision should be included in the Treaty covering the resumption of diplomatic and consular relations with Finland. The proposal made in the second sentence of paragraph 6 (i) of C.F.M.(45) 25 was withdrawn.

Position of International Organisations (paragraph 6 (ii) and (iii) of C.F.M.(45) 25)

The proposals in these paragraphs should be considered in connection with the proposal in paragraph 3 of C.F.M.(45) 7.

Position of existing Treaties (paragraph 6 (iv) of C.F.M.(45) 25)

Further consideration should be given to this proposal in order to specify which treaties Finland should be required to keep in force and which treaties she should abrogate.

Bill of Rights (paragraph 6 (v) of C.F.M.(45) 25)

Finland should be required to maintain a Bill of Rights on the lines already accepted for inclusion in the Italian Peace Treaty. The details of such a provision would require examination.

War Graves (paragraph 6 (vi) of C.F.M.(45) 25)

Further detailed consideration should be given to this proposal.

Economic and Financial Questions (paragraph 7 of C.F.M.(45) 25)

Further consideration should be given to the inclusion in the Treaty of clauses dealing with economic and financial questions on the lines of paragraph 7 of C.F.M.(45) 25.

Admission to United Nations Organisation

An exchange of views took place about the admission of Finland to the United Nations Organisation. Consideration of this question was adjourned.

[Annex 14]

*Record of Decisions of the Fourteenth Meeting of the Council of Foreign Ministers, London, September 20, 1945*¹²

1. FINLAND: PEACE TREATY

An exchange of views took place. Further consideration of the procedure for dealing with the Finnish Peace Treaty was postponed.

2. ROUMANIA: PEACE TREATY

Further study should be given (by a procedure to be determined by the Council) to the detailed provisions of the Peace Treaty with Roumania, on the basis of the proposals of the Soviet Delegation (C.F.M.(45) 8) in the light of the memoranda by the British (C.F.M.(45) 22) and United States (C.F.M.(45) 35 [36?]) Delegations, and of the following decisions of principle:—

Armaments (Paragraph 3 of C.F.M.(45) 21)

Section IV of C.F.M.(45) 36 should be accepted as a basis for detailed study of this question, and this study should include the question whether any machinery was required (whether in the form of an Allied Inspectorate or otherwise) for enforcing any restrictions which it might be decided to impose on Roumania's military establishments.

Soviet-Roumanian Frontier (Paragraph 4 of C.F.M.(45) 21)

Article 4 of the Armistice Terms should be accepted as a basis for discussion.

Return of Allied Vessels (Paragraph 5 of C.F.M.(45) 21)

This question was referred for detailed study and report to the Council.

War Crimes (Paragraph 6 of C.F.M.(45) 21)

Article 14 of the Armistice Terms should be accepted as the basis for dealing with the question of apprehending and trying persons accused of war crimes.

¹² This Record of Decisions was approved by the Council, with the amendment shown in footnote 14, p. 474, at its 27th meeting, September 29, 1945. For the record of the Council's 14th meeting, see C.F.M.(P) (45) 14th Meeting, p. 275.

Fascist organisations (Paragraph 7 of C.F.M.(45) 21)

Article 15 of the Armistice Terms should be accepted as a basis of discussion for dealing with pro-Hitler, pro-Fascist and other organisations in Roumania conducting propaganda hostile to the United Nations, on the understanding that further consideration would be given to this question in view of the action already taken by the Roumanian Government under Article 15 of the Armistice Terms.

Withdrawal of Allied Forces (Paragraph 8 of C.F.M.(45) 21)

On the conclusion of the Peace Treaty all Allied forces would be withdrawn from Roumania (except as might be provided for the maintenance of the lines of communication of the Red Army with the Soviet zone of occupation in Austria) and that all unused currency and goods would be returned to the Roumanian Government.

Transylvania (Paragraph 9 of C.F.M.(45) 21)

An exchange of views took place.

Resumption of Diplomatic and Consular Relations (Paragraph 10 (i) of C.F.M.(45) 21)

A provision should be included in the Treaty covering the resumption of diplomatic and consular relations with Roumania. The proposal made in the second sentence of paragraph 10 (i) of C.F.M.(45) 21 was withdrawn.

Position of International Organisations (Paragraph 10 (ii) and (iii) of C.F.M.(45) 21)

The proposals in these paragraphs should be considered in connection with the proposal in paragraph 4 of C.F.M.(45) 8.

International Control of Danube (Paragraph 19 (iv) of C.F.M.(45) 21)

An exchange of views took place. Consideration of the proposal was adjourned.

Position of Existing Treaties (Paragraph 19 (v) of C.F.M.(45) 21)

Further consideration should be given to this proposal, in order to specify which Treaties Roumania should be required to keep in force and which Treaties she should abrogate.

Bill of Rights (Paragraph 10 (vi) of C.F.M.(45) 21)

Roumania should be required to maintain a Bill of Rights on the lines already accepted for inclusion in the Italian Peace Treaty. The details of such a provision would require examination.

Reception of Roumanian Nationals (Paragraph 10 (vii) of C.F.M. (45) 21)

The proposal that Roumania should be required to receive Roumanian nationals returning from abroad and to accept full responsibility for them was withdrawn.

War Graves (Paragraph 10 (viii) of C.F.M.(45) 21)

Detailed consideration should be given to this proposal.

Financial and Economic Clauses (Paragraph 11 of C.F.M.(45) 21)

The proposals in paragraph 11 of the memorandum by the British Delegation, [in Section VII of the U.S. Memorandum, (C.F.M.(45) 36) and in the French memorandum C.F.M.(45) 37]¹³ should be referred for detailed consideration in connection with paragraph 2 of the memorandum by the Soviet Delegation (C.F.M.(45) 8).¹⁴

Admission to United Nations Organisation (Paragraph 12 of C.F.M. (45) 21)

Further consideration of the proposal in paragraph 4 of the memorandum by the Soviet Delegation (C.F.M.(45) 8) regarding the candidature of Roumania for membership of the United Nations Organisation, was postponed.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

*Resolution Proposed by the Soviet Delegation to the Council of Foreign Ministers*¹⁵

C.F.M.(45) 83

LONDON, September 30, 1945.

PREPARATION OF PEACE TREATIES

Notwithstanding the decision of the Council of Foreign Ministers regarding the participation of the members of the Council, adopted on 11th September, in the drawing up by the Council of treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland only members of the Council who are, or under the Berlin Agreement are deemed to be, signatory of the surrender terms, will participate, unless and until the Council takes further action under the Berlin Agreement to invite other members on questions directly concerning them.

¹³ Brackets appear in the original.

¹⁴ At its 27th meeting, September 29, 1945, the Council of Foreign Ministers agreed to revise this decision to read as follows: "The proposals in paragraph 11 of the memorandum of British Delegation and in Section VII of the United States Memorandum (C.F.M.(45) 36), should be referred for detailed consideration in connection with paragraph 2 of the memorandum by the Soviet Delegation (C.F.M.(45) 8)." (740.00119 Council/9-1145)

¹⁵ The Soviet resolution was first introduced to the Council at its 28th meeting, September 29, 3 p. m.; for the American minutes of that meeting, see p. 445.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

*Proposal by the United States Delegation to the Council of Foreign Ministers*¹⁶

C.F.M.(45) 84

LONDON, September 30, 1945.

PREPARATION OF PEACE TREATIES

The Council will convoke a Conference under the provisions of II, 4(ii) of the Berlin Agreement for the purpose of considering treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland. The Conference will consist of the five members of the Council, which also constituted the five permanent members of the United Nations Security Council, together with all European members of the United Nations and all non-European members of the United Nations which supplies substantial military contingents against European members of the Axis. The Conference will be held in London and will begin its proceedings not later than 1945. It will take as the bases for its discussion reports of the Deputies with any modifications agreed upon by the governments of the Deputies in question.

After full hearing and discussion by the invited States, the final approval of the terms of the treaties of peace will be made by those of the invited States which were at war with the enemy state in question.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

Record of Decisions of the Twenty-Ninth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 30, 1945, 3 p. m.

C.F.M.(P) (45) 29th Meeting

PRESENT

U.K.	U.S.A.	U.S.S.R.
Mr. Bevin	Mr. Byrnes (Chairman)	M. Molotov
Sir R. I. Campbell	Mr. J. Dunn	M. F. T. Gousev
Sir A. Clark Kerr	Mr. B. V. Cohen	M. K. V. Novikov
Mr. A. Duff Cooper	Mr. J. F. Dulles	M. S. A. Golunski
	Mr. C. E. Bohlen	M. V. N. Pavlov
FRANCE	CHINA	
M. Bidault	Dr. Wang Shih Chieh	
M. Couve de Murville	Dr. Wellington Koo	
M. Fouques Duparc	Dr. Victor Hoo	
M. Alphand	Dr. Hollington Tong	
	Mr. Yang Yun Chu	

¹⁶ A proposed addition to the Soviet Resolution, C.F.M.(45) 83, September 30, *supra*. The United States proposal was first introduced to the Council of Foreign Ministers at its 28th meeting, September 29, 3 p. m.; for the American minutes of that meeting, see p. 445.

1. AUSTRIA: RATION SCALES

The Council invited the Governments of the United Kingdom, United States, U.S.S.R. and France to despatch telegrams to their representatives on the Allied Council for Austria in the terms of the draft set out in C.F.M.(45) 82.¹⁷

2. RESTITUTION

The Council invited the Deputies to continue their consideration of the question of Restitution on the basis of the French memorandum (C.F.M.(45) 38¹⁸).

3. PREPARATION OF FINAL PROTOCOL

The Council instructed the Protocol Committee to prepare drafts of four Protocols on the lines proposed by M. Molotov, taking as a basis the Russian text prepared by the Soviet Delegation.

4. PREPARATION OF FINAL COMMUNIQUÉ

An exchange of views took place. The Council agreed to meet again at 9:30 p. m. that evening in order to consider (a) questions arising on the final Protocol and Communiqué, and (b) the proposal of the Soviet Delegation regarding the future procedure for the preparation of Peace Treaties.

740.00119 Council/9-1145

*United States Delegation Minutes of the Twenty-Ninth Meeting of the Council of Foreign Ministers, London, September 30, 1945, 3:30 p. m.*¹⁹

Mr. Byrnes in the Chair

BYRNES: I will call first on the Soviet Deputy to give a report on the morning meeting of the Deputies.²⁰

GOUSEV: This morning the meeting of the Deputies was held at which the following questions were considered:

1. Draft telegram to the Austrian Control Commission and the continuation of the discussion concerning restitution. The meeting of the Deputies approved a draft telegram to the Allied Council in Vienna concerning the food supplies for the population of Austria. The text has been circulated. Does the Council wish me to read the text of the telegram?

BYRNES: I would say that each of the Delegations has a copy and it is unnecessary to read it. The question is on the agreement of

¹⁷ For text of telegram regarding food ration scale, see second message quoted in telegram 10181, Delsec 86, October 1, 3 p. m., from London, vol. III, p. 620.

¹⁸ September 20, p. 285.

¹⁹ For the list of participants at this meeting, see Record of Decisions, *supra*.

²⁰ Minutes of the seventh meeting of the Deputies, September 30, 1945, not printed.

the sending of the telegram by the Council. Are there any objections? As there seems to be no objection, then the Council will deem that it has been decreed that the telegram will be sent by each Delegation to its representative.

GOUSEV: The Deputies continued the discussion of the question of restitution but this discussion has not been completed owing to the fact that it became necessary on the part of the Soviet Delegation to receive the opinion of economic experts on this question. The Soviet representative stated that the Soviet Delegation expect to receive the opinion of experts in the near future and as soon as they are in possession of the necessary information they will be able to come back to this question. The French, British, Chinese and American representatives expressed their wish to complete as soon as possible the discussion of the question of restitution, if possible before the end of the present session of the Council and to proceed with the carrying out of restitution as soon as possible. In conclusion I must say that at the end of the meeting of the Deputies the British representative again raised the question of improving the food situation in Austria. On this question an exchange of views took place, no decision was adopted and further discussion of this question was deferred. These are the main results of the Deputies' meeting this morning.

BIDAULT: I hope that the meeting of the Deputies will soon be able to arrive at an agreement concerning restitution. I would like to remind the Council concerning the reservation of the French Delegation at the 24th meeting of this Council ²¹ with reference to the connection between reparations and restitution.

MOLOTOV: The French Delegation has raised this question but they have not formulated their views and we have not even received any memorandum and so we don't ever [*even?*] know what the French Delegation regards as restitution, and I want to suggest that the French Delegation present their views and that will facilitate the position of the Deputies.

BIDAULT: The French Delegation is of the opinion that the memorandum distributed on September 20 ²² answers the question that has just been raised.

MOLOTOV: I have in my mind the memorandum that the French Delegation submitted on the question of Germany ²³ but I remember that there is a special memorandum of the French Delegation on restitution dated September 20. I think that our Deputies could discuss the memorandum with a view to ascertaining whether they will be able to fall in with the views of the French Delegation concerning

²¹ See the Record of Decisions of the 24th meeting of the Council, C.F.M.(P) (45) 24th meeting, September 27, p. 421, and the British record of the 24th meeting, p. 422.

²² C.F.M. (45) 38, p. 285.

²³ Apparently reference is to C.F.M. (45) 17, September 13, p. 177.

restitution. I want to point out that the French Delegation have not justified the time limit on the carrying out of restitution in their memorandum, and I therefore suggest that the French Delegation justify the time limit suggested by them.

BIDAULT: I would prefer this matter being referred to the Deputies because as a matter of fact I must remind you that they are generally charged in such matters with the responsibility of determining how and when, and in particular the examination of restitution ought to produce results. With regard to the time limit the memorandum on reparations, which we circulated on September 20—reparations which we have already pointed out have as a preliminary condition restitution—asks that these matters should be disposed of in the shortest possible time and we laid down a time limit of two years because this was in conformity with the draft resolution which was presented and in conformity at the same time it was decided in our absence at Potsdam under Article 6, Section 4 of the Protocol.²⁴

DUNN: I take it there is no question that the matter of restitution has been referred to the Deputies by the Council and that we can consider that the Deputies will continue their study of the question. Any objection?

(No objection.)

DUNN: We will pass on to the next item to be considered.

MOLOTOV: What is our agenda?

DUNN: I understand we are to consider the report of the Protocol committee.

MOLOTOV: I should like to ask when the protocol submitted yesterday by the Soviet Delegation²⁵ will come up for discussion.

DUNN: I understand that at the end of yesterday's meeting it was decided the Council would meet today to examine the protocol.

MOLOTOV: I have no objection to this but I want to ask when the proposal of the Soviet Delegation, which it regards as an urgent one, will come up for discussion.

DUNN: I should say that the question would be taken up by the Council immediately after considering the report of the Protocol committee and at the same time the United States amendment²⁶ will be considered with it.

(Agreed.)

BEVIN: The protocol and the communiqué questions?

²⁴ According to the British record of this meeting, Bidault at this point referred to section III, paragraph 6 of the Protocol of the Proceedings of the Berlin Conference; see *Conference of Berlin (Potsdam)*, vol. II, p. 1486.

²⁵ For text of the Soviet proposal (or protocol), which was introduced at the 28th meeting of the Council, September 29, 3 p. m., see C.F.M.(45) 83, September 30, p. 474; for the American minutes of the 28th meeting, see p. 445.

²⁶ For text of the United States proposal (or amendment), which was introduced at the 28th meeting of the Council, September 29, 3 p. m., see C.F.M.(45) 84, September 30, p. 475.

MOLOTOV: I suggest that we discuss them separately.

BYRNES: I think that the proper procedure would be to take up the protocol before taking up the communiqué. I have in my hands a draft of a protocol of the present conference and a note by the senior secretary of the Joint Secretariat.²⁷ I assume the other Delegations have this document.

MOLOTOV: The question I want to ask is whether the protocol is going to be signed by the Ministers.

BYRNES: Of course.

MOLOTOV: I suggest that we decide that the protocol will be signed by the Ministers, and only by those Ministers who decided questions and not by those who only discussed. But it will be recorded who was present. Do you agree with this suggestion? What is it we have decided?

BYRNES: We haven't decided anything.

MOLOTOV: I ask that this question be decided, otherwise there will be difficulty in discussing the protocol.

BYRNES: I think there must be a misunderstanding because nothing has been decided except that we will discuss the report of the Protocol committee. Now it will be in order for any member to suggest whatever procedure he deems best and then that suggestion to be discussed. I understand Mr. Molotov has a suggestion.

MOLOTOV: That is what I am asking for. My suggestion is as follows: The Council of Foreign Ministers decide that the protocol containing the decisions should be signed by those Ministers who participated in the adoption of the decisions.

[Here follows a brief discussion at the conclusion of which it was agreed to recess the meeting for five minutes so that Molotov could familiarize himself with C.F.M.(45) 71, September 30, 1945, which he had not yet seen.]

MOLOTOV: The Soviet Delegation has prepared a draft protocol of all their meetings of the Council since September 11th up to now. Analyzing it by general questions in which all the five members participated, I will circulate this text. I should like here to ask you to get acquainted with that draft protocol and as you have it only in Russian, I suggest we adjourn for one or two hours to study it.

BYRNES: May I suggest this? What I have said just now was simply what the situation was and reported by the Protocol committee so far as the United States Delegation is concerned. Though it is not our idea as to the kind of protocol that should be issued, the United States Delegation is not interested in form. I am not interested in procedure and I don't care very much whether the United States signs five papers

²⁷ C.F.M.(45) 71, September 30, p. 514; two alternative drafts of the protocol had been prepared: C.F.M.(45) 72, September 30, 1945, arranged by subject matter and C.F.M.(45) 73, September 30, 1945, arranged chronologically; neither of the draft protocols is printed.

or four or three if the papers recorded the facts, that is all that is of interest. I have no objection if section (c) is agreed on, and which I am told the committee agreed upon, to signing, the five of us as to the general matters and to four or three or two signing the other headings provided there is a statement anywhere that only two signed because formally only two under the agreement of September 11 could vote on it, and therefore only two would have the right to sign. I don't think there is any reason why I can't agree with my friend as to this proposal. If a matter of form certainly is not of vital importance and if at either the top of the heading on Italy or at the bottom of it there is a statement to show why only four signed I see no objection. So far as the United States Delegation is concerned, we are ready to agree that we should sign those various headings in which we participated as voters. I don't see any reason for so much difference in the committee. I hope that the members can agree. When it comes to Finland, the United States will not sign that and they will not be responsible for anything. I therefore suggest that we adopt the Committee's report (c) with the suggestion of Mr. Molotov that the various parts be signed only by those Governments that could vote on the subject. As I read things, that is the daily record which we agreed on yesterday after hours of discussion, and if we agreed on it let it be signed by each of us who voted on the subject.

BEVIN: That is why I asked what we were considering in order to get my mind clear. This proposal was put to us yesterday by Mr. Molotov, that we sign in this manner, and while I would have preferred the five to sign the protocol, I am quite agreeable to taking this course, almost with the excuses that Great Britain had to be present, to get the thing issued and to get it clear I am quite agreeable to what the Chairman has suggested. I have gone out of my way this morning to try and get agreement with the Soviet Delegation along the very lines they proposed last night. This was agreed on and I accepted it. It has been agreed all through that the agreements arrived at should stand. When it came to a question of signature, I tried to fall in and agree with the suggestions made.

[Here follows a discussion leading to the Council's decision to charge the Protocol Committee with responsibility for checking the text of records of decisions included in the draft protocol.]

BIDAULT: Mr. Chairman, before we separate and in order to put an end to this discussion of the protocol which is the matter which is being especially referred to the Committee on Protocol, I would like to make the following statement: The French Delegation accepts that we have several protocols instead of one only which should be drawn up and that they should be respectively signed only by the Ministers who have taken part in the decisions provided that the following formula should be included as part of the signatures. I

believe that this is in conformity with what Mr. Molotov said to Mr. Bevin. The formula would be as follows: "The above decisions were discussed by the Ministers of Foreign Affairs. They have been signed by the Ministers of Foreign Affairs indicated hereafter."

BYRNES: Gentlemen of the Council, you have heard the request of the representative of the Government of France that if the documents are to be signed separately there will be included a motion requested by him. Are there objections?

MOLOTOV: I think we shall be able to find without difficulty a formula embodying the mention of those Ministers who were present at the meeting.

BYRNES: The Protocol Committee will be requested to draft language along the lines suggested by the representative of the French.

MOLOTOV: I should like it to be said in accordance with the proposal of Mr. Bidault and Mr. Molotov.

[Here follows a further discussion of the proposal to refer to the Protocol Committee the task of preparing a draft protocol along lines agreed upon by the Council.]

BYRNES: Therefore I suggest that the Committee withdraw and proceed to prepare the draft that they had considered last night along with the Soviet draft presented this afternoon. By the time they have prepared this document presented by the Soviet Delegation, the Soviet Delegation may have the rest of their draft to be turned over to the Committee. Therefore if there is no objection I suggest that the Protocol Committee withdraw and begin their work and at the end of an hour's time they might have the rest of the Soviet draft. Can Mr. Molotov give us any idea as to how long it would take before the other parts are ready?

MOLOTOV: I wonder if we can agree now to arrange the protocol in chronological order. I think it will be better to do so because we are going to have other decisions, for instance the decision on Austria and maybe a decision on the question of restitution, and then we can add them if we accept them. Therefore the question is of our agreeing as to the order in which the protocol should be arranged. The Soviet Delegation believes that the protocol should be arranged chronologically as is usually the case with protocols and in accordance with the suggestion under (b) in the Secretariat's paper.

BIDAULT: Does all the Committee—do all five operate all through?

MOLOTOV: No objection to this?

BEVIN: There is no need to change the order when we sign it.

MOLOTOV: I agree.

BEVIN: When the draft is submitted will all five be in the room although some do not vote?

MOLOTOV: If it is such an important question, I should like to have all five in one room.

BEVIN: It would be very embarrassing to me to have to ask the United States to go out when we deal with the peace treaty with Finland.

MOLOTOV: On the contrary, I should like them to be present.

BYRNES: Thanks. I am invited. I am glad.

BEVIN: When we return and consider the report of the Protocol Committee all five will be here.

MOLOTOV: I should like to ask that this proposal be submitted in writing.

BEVIN: There is need for it to be in writing.

MOLOTOV: I agree with this too.

BYRNES: I think, gentlemen, it is a matter that does not deserve the attention that we have given to it. For my part I am perfectly satisfied to have one protocol to be signed by all with the statement that the decisions in the attached record not relating to treaties signed by all parties, all signed. As to the Finland protocol, we simply state that the decision in the attached record so far as it relates to the treaty with Finland, Great Britain and the Soviet Union sign. Not being able to agree, the only thing I see we can do is to let it go to the Committee. My objection to that course is simply this. We spent hours yesterday working on the minutes. We agreed on them. Now, I can't read this Russian draft very well but the gentleman who sits on my left tells me as he glances at it that there is one question with reference to the Soviet nationals which we discussed for an hour yesterday and excluded, and that is whether it is in this draft, and when we leave it to the Committee they will spend another hour and we will spend another hour on questions we decided yesterday.

MOLOTOV: It is a mistake. I must say that the text should be reconciled to what we decided yesterday.

BYRNES: If the Committee member of the Soviet Delegation is instructed to reconcile it with what was decided yesterday then it would be all right, otherwise the Committee will—I suggest that the Committee withdraw and go on with the other work. Let us discuss the communiqué.

BEVIN: I do think, Mr. Byrnes, that we are violating all union rules in trying to make them do it in an hour.

(Committee adjourns.)

BEVIN: Hope springs eternal.

BYRNES: On the question of the Communiqué Committee we might now discuss questions that will be presented at some time or another and which would require a decision on the part of the Council. In the course of the discussion the Committee would like to have answered the question "Shall there be one communiqué with each section showing which of the Foreign Ministers took part in the de-

cision?" Another question I am told being considered by these gentlemen is the question of whether the draft of the communiqué should contain all the decisions of the Council, including references to the Deputies. I hasten to express my views that the question—the second question—shall be answered by the decision that the communiqué should include mention of the matter, because if that is not done there will be little in the communiqué. As to the first question as to whether there will be one communiqué with sections showing which of the Foreign Ministers took part, I think there ought to be no difficulty about that. We could have but one communiqué. The communiqué can state, when it refers to treaties, that these members participated but did not vote. That's what the facts are. That is all the communiqué is supposed to do.

MOLOTOV: I want to make a suggestion. Like the protocol, there should be one communiqué. I think that the communiqué should state which questions were decided by which Ministers. It is not convenient to mention in the communiqué those who are present but only those who took part in the discussions. As regards the contents of the communiqué, I think it should contain the decisions adopted by the Council and should contain no mention of the tasks assigned to the Deputies.

BYRNES: Most of the work of the Council was devoted to an agreement upon the principles to govern the work of the Deputies. In justice to ourselves, we ought to state in the communiqué the things that occupied us and which we decided in accordance with the facts as to the disposition that was made.

MOLOTOV: I think that we may agree on this. But in this case it will be necessary to find a form to express what questions have been referred to what Deputies. Thus we have no objection to mentioning the questions which have been referred to the Deputies under this one reservation.

BYRNES: I think we should find language that would solve that situation. We must do it in justice to ourselves. The newspapers have already stated a lot of it anyway. We might as well state it accurately.

MOLOTOV: The newspapers publish some things and then say anything about certain things so they have published information of their own. They feed on food which they receive.

BYRNES: Not always—sometimes they feed on food which they haven't.

BEVIN: And their imagination is developed with their indigestion.

BYRNES: I would like to ask if any member of the Council has any suggestion, because the Communiqué Committee is put up against a very hard problem.

BEVIN: Is it your proposal that in the communiqué when you say a matter is referred to the Deputies you do not stipulate the Deputies to whom they are referred?

MOLOTOV: I think that it should be stated clearly so as not to deceive the reading public.

BIDAULT: With regard to the French Delegation, our attitude is this. There should be no difference between the main Delegates and their substitutes—Deputies.

MOLOTOV: I agree that is quite right.

BIDAULT: I would like to say as regards the Conference of the full Delegates and of the Deputies the view of the French Delegation on this I have already stated. I have already said it may be expected therefore that the very extreme sacrifice will be the last I would be able to concede.

MOLOTOV: I have still got to say that M. Bidault's reference to sacrifice is without sufficient grounds. The decisions adopted at the Berlin Conference were published throughout the world and when the French Delegation made up their minds to go to London to participate in the work of the Council the French Delegation knew all along that the deliberations of the Council would be conducted on the basis of decisions of the Berlin Conference, and the French Government did not express their reluctance to participate in the work of the Council on the grounds they would be conducted on the basis of the Berlin decisions and they made no objection. If the French Delegation is agreed with the Berlin decisions, then the French Delegation was free to participate, but once the French Delegation has come to London to take part in the deliberations of the Council that means the French Delegation agreed to work on the basis of the Berlin decisions. Therefore I cannot on any account agree with the statement that the French Delegation have made a sacrifice in the Conference.

BIDAULT: Naturally I maintain the term "sacrifice" of course, and I hope that in meetings of this Council which will follow we shall be encouraged to make further sacrifice by the general attitude shown by the other Delegations. Therefore, we do not feel ourselves to be bound by the decisions of the Berlin Conference and we stress what our feelings were on the subject in the spirit in which we came here and in the spirit which we have shown in the past, in particular as illustrated in the record in regard to the Council in which we said we felt that the Council was sovereign with regard to fixing of its agenda and we felt that all members are free to decide on the measures of our work. A decision was made in common and can only be reversed in common. There is no need for me to stress my spirit of conciliation.

MOLOTOV: I do not want to repeat anything of what I have said but I want to add that if anyone denounces the decision adopted by us in common, that decision ceases to be a decision. This is obvious. There

is a Russian proverb which says "You can't make people like you by force".

BEVIN: This raises a very big point. Someone takes part in a decision, then he denounces it and is free. That is the nearest thing to the Hitler theory I have ever heard.

MOLOTOV: This is what Mr. Bevin has been doing.

BEVIN: My position is a very simple one.

MOLOTOV: I should like to ask the Chairman to put an end to the speeches which are out of place. Have we got a Chairman or not? Unless Mr. Bevin will withdraw his words I shall leave the room.

BEVIN: If I said anything offensive I withdraw it.

MOLOTOV: Then we shall make out who assisted Hitler most.

BEVIN: If I said anything offensive I apologize. My position has been a very simple one. It has been a question of interpretation of the Berlin decision. I merely drew an analogy, and I apologize. I don't go back on any decision that I make and I never will, but I thought that the decision was correct and still think so, but all this afternoon I have been trying to meet Mr. Molotov. It seems to me now that the logical conclusion of all that we have been doing this afternoon is that we have agreed to sign separately and to sign but under separate heads. Now we present a paragraph in which reference to the Deputies is confined to signatories. I don't see what else we can do. It has gone so far.

MOLOTOV: I should like to say a few words. This is the second time that I have taken part in a Conference of Ministers of Foreign Affairs. I remember the first Conference of Ministers of Foreign Affairs took place in October 1943.³⁰ The Conference was attended by Mr. Hull,³¹ Mr. Eden,³² and the findings of this Conference were widely made known and the accounts of this Conference were given by Mr. Eden in the British Parliament and by Mr. Hull in the American Parliament. Not only the Governments who took part in this Conference were satisfied with the findings but also all the other friendly nations in the United Nations. It may well be that the atmosphere in Moscow was very favorable. It may be that on the other hand there were other reasons for this, but the Moscow Conference played a very important part in the accomplishment of our common task in the defeat of our common enemy. I don't yet realize what the results of our work will be at this Conference when it comes to an end, but I am most anxious that the result should be most favorable; but to achieve this our common efforts are required and a good atmosphere is necessary to do the work. But I must say that as regards the atmosphere of our work in

³⁰ For documentation regarding the Tripartite Conference of Foreign Ministers held in Moscow, October 18 to November 1, 1943, see *Foreign Relations*, 1943, vol. I, pp. 513 ff.

³¹ Cordell Hull, then Secretary of State.

³² Anthony Eden, then British Secretary of State for Foreign Affairs.

London there are a number of things which I have felt—and which are not always favorable or helpful to our work. I am not going to give reply to any offenses on the part of anybody and I think it would be below my self respect. As usual such methods are resorted to when other methods are lacking, but this is a matter of taste. Hitler also took advantage of this but achieved no results. But I still think that we are interested in engaging in serious business and I therefore suggest that we pass to business.

BYRNES: I want to say that I recall the Conference to which Mr. Molotov referred. It did result in great good in the conduct of the war. I must say however that the task that confronts us now after hostilities are over is a more serious one. After weeks of work our nerves are on edge; however, we must not lose our patience. No matter how we may differ we must continue to have respect for each other and to have the affection we have had for each other ever since we came together.

BEVIN: As I tried to keep the right atmosphere in this Conference, if that is to be preserved there must be a recognition of each other's difficulties. I have my difficulties. One of the problems which has made my job very difficult has been that the things I was interested in have been reserved and passed over every time a difficulty is created. Therefore, if the atmosphere is to be kept favorable, then I think there should be consideration of each other's difficulties in carrying out the agenda; and except for the remark I made just now, which I think was misunderstood and which I withdrew, I think I have done my part. I have sat here hour after hour as patiently as I could, and apart from asking a few questions and trying to promote decisions I don't think I have done anything else. It's very nice to play off one's predecessors against one. I don't mind that at all. I dare say when Mr. Molotov understands me better and understands Great Britain better we shall be able to get on extremely well. All we want is to get a good peace settlement. If I have been wrong in my interpretation, if my Government has been wrong, I have made all sorts of suggestions on the side and everywhere but I do want to say when suggestions are made I think a serious endeavor should be made to understand each other's point of view; then I think the Conference can do good work. Already it has accomplished much. There are several items on the agenda affecting my country very seriously, which I have been trying to get answered. Probably we can in future find an understanding alike in regard to procedure. I have no personal feeling about anybody or anything and, in any case, I agree with Mr. Molotov to get on with the work.

BYRNES: I have come to the conclusion that we cannot make any progress with the communiqué until the protocol matter is settled. I do not see that it will be useful to continue the discussion here until

we hear from the Protocol Committee. I suggest we recess until 9:30.

MOLOTOV: I suggest that we continue our meeting and discuss the questions. We have not yet tried to discuss, and I ask therefore the discussion of the Soviet proposal of yesterday.

BYRNES: May I suggest to my good friend that I think we would really make progress by recessing until 9:00 or 9:30.

MOLOTOV: When are we going to wind up our Conference? I must hasten to Moscow. I promised I would leave tomorrow.

BYRNES: I think if we meet at 9:30, let us stay and decide one way or the other. By that time the Protocol Committee will have reported and then we can take up the question Mr. Molotov suggests and decide it.

Meeting adjourned.

740.00119 Council/9-3045

*Memorandum of Conversation, by Mr. Charles E. Bohlen, Assistant
to the Secretary of State*

[LONDON,] September 30, 1945—7 p. m.

Participants: The Secretary

Mr. Bohlen

Mr. Molotov

Ambassador Gusev

Mr. Pavlov

THE SECRETARY said he had wanted to see Mr. Molotov since it was apparent that all their difficulties at the Council stemmed from the same central question about future procedure. He felt that they ought to be able to find some formula which would accept Mr. Molotov's position as to the preparation of the peace treaties and at the same time give some indication to the world that broader participation would be provided for before final decision was taken on these treaties. It was for this reason that he had proposed the suggestion regarding a conference.

MR. MOLOTOV said that what Mr. Byrnes was suggesting was the appearance of an agreement when none existed. He saw no use in that. He felt that when we could not decide a given question it was best to postpone it in the hope of finding a future solution. He said Mr. Byrnes referred to a conference, but how could they hold a conference to consider peace treaties with Rumania and Bulgaria when the United States Government would have nothing to do with the Governments of those countries.

MR. BYRNES said he was thinking of the work of the Council, and he felt that we ought to be able to adopt some resolution which would

be in conformity with the Berlin decision, but at the same time indicate that we wished to consult other interested nations. As to the question about the Balkan countries, he felt that we could continue to consider that through diplomatic channels. He added that if some changes could be made in those governments which would afford us a basis to change our position, we would certainly consider it.

MR. MOLOTOV replied that the agreement with regard to procedure was of secondary importance. The United States had their point of view, the Soviet Government had theirs, but it was not a question of principle but one of secondary importance. He added that if the United States was anxious to reach an agreement in regard to a conference, then the best thing to do would be to try to get a common attitude toward the Governments of Rumania and Hungary [*Bulgaria?*]. Then we could agree on a conference without much trouble. In any event he suggested that they not attempt to hurry these questions, but publish the decisions we have already made, and wait until the next session of the Council, and not attempt to settle questions which were not yet ripe.

MR. BYRNES said that he was glad to learn Mr. Molotov's views on this, but he could not see what we were going to do about the Deputies unless we could agree on procedure.

MR. MOLOTOV replied that if the Berlin decision was followed, the matters relating to the peace treaties would be referred only to those of the countries signatory to the armistice.

THE SECRETARY replied that he did not intend to discuss the interpretation of the Berlin decision—that was clear enough to all. He felt, however, that he had made a concession to Mr. Molotov in being willing to agree to accept his position for the future preparatory work of the Council, and that all he was asking in return was that there be some provision made for the summoning of the conference. He did not care in what form the conference was set up, but he did wish an indication of our willingness to consult other nations.

MR. MOLOTOV repeated that he felt that this question was of secondary nature, and that we could agree on it without trouble. He added that he had no instructions from Moscow, but he was sure his Government would not understand how it would be possible to call a conference in regard to peace treaties with Rumania and Bulgaria when the United States and Great Britain did not recognize those governments. He said he understood the position of the United States Government; President Truman had made it clear at Potsdam; but two months had passed and there was no change in the American position, which was their right. He said, however, he had some hope for the future, since soon there would be elections as a result of which there would be new governments in these countries, which should make it easier for the United States. If this was so, and it was possible for

the United States to recognize these governments, then the question of a conference could be decided without trouble. He said he felt these two questions were linked up together.

THE SECRETARY said that he felt that it was too bad to link them up. In regard to recognition, he said as we agreed at Potsdam we had looked into the situation in Hungary, and on the basis of our reports had found it possible to justify our recognition of the Government. Our reports from Rumania and Bulgaria did not justify such action in regard to those Governments. He added we did not like the present situation, and wished to find some means of justifying such a step as recognition. He continued that if some change could be made in the governments of these countries, it might be a way out, but we did not feel we could accept the responsibility of approving these governments in their present state.

MR. MOLOTOV said that he felt that the United States position was based on a whim, and that to change the government would be a violation of the sovereignty of these states.

THE SECRETARY said he was not asking for any overthrow of the government, but some changes that would convince the world that these governments were really representative.

MR. MOLOTOV repeated they could not do this since it would be misunderstood and resented in any democratic country.

740.00119 Council/9-3045

Memorandum of Conversation ³³

[LONDON,] September 30, 1945—9:30 p. m. ³⁴

Present:	The Secretary	Mr. Molotov	Mr. Bevin
	Mr. Dunn	Ambassador Gusev	Sir Ronald Campbell
	Mr. Bohlen	Ambassador Gromyko ³⁵	Sir Archibald Clark Kerr
		Mr. Pavlov	Mr. Ivanov

MR. BEVIN said he had asked Mr. Byrnes and Mr. Molotov to come see him in order to try and work out the question of what to do about the September 11 decision and the question of the protocol. He said that the fact is we had passed a resolution and somewhere in the protocol it must be included.

MR. MOLOTOV said he had a suggestion to make. He said he thought since the three of them were those authorized to prepare peace treaties by the Berlin decision that they had in effect invited China and France on the 3rd to attend without right of vote on certain questions. It would, therefore, be correct if the decision of September 11 was

³³ Authorship of memorandum not indicated, but presumably prepared by Mr. Bohlen.

³⁴ Meeting in Mr. Bevin's Office, Lancaster House.

³⁵ Andrey Andreyevich Gromyko, Soviet Ambassador to the United States.

noted in the proper manner. For example, in regard to the protocol on the Italian peace treaty it should be stated in the beginning that the four countries, the United States of America, the U.S.S.R., Great Britain, and France, had invited China to attend without a vote. In regard to the Balkan treaties it should state in the beginning that the three Governments signatory to the armistice, namely, the United States, the United Kingdom, and the U.S.S.R., had invited France to participate and not vote. In regard to Finland it should state that Great Britain and the U.S.S.R. had invited France, the United States of America, and China to participate and not vote. In each of these protocols he continued there would be a notation that on September 30 this decision of September 11 had been rescinded. In this way there would be the proper mention in the proper place of the decision of September 11 and the statement that the embodying powers had on September 30 rescinded that decision. He said it was obvious that France and China could not invite themselves and could not insist on the continuance of an invitation which they had no part in issuing. He said that under his proposal the general protocol signed by five ministers would contain no reference to the decision of September 11.

MR. BYRNES said he wanted to be clear on this point and make sure that he understood Mr. Molotov. Mr. Molotov was proposing that the September 11 decision as worded should not be included.

MR. MOLOTOV said that this was correct although the same effect would be achieved by putting it into separate protocols. However, he was quite prepared not to make any mention of the September 11 decision in any of the protocols. But if it was mentioned as he proposed there should also be reference to its cancelation. He could not agree to its inclusion in the general protocol since he felt that the decision had not been taken by the five ministers.

MR. BYRNES then said that looking to the future we must decide what our deputies would have to do. Would this mean that the deputies of France and China would not sit in at the discussions as their Foreign Ministers had, of course, always with no right to vote where they were not signatories.

MR. MOLOTOV replied that they could not. There would be four deputies for the Italian treaty, three for the Balkan, and two for Finland.

MR. BEVIN remarked that that was where the difficulty lies.

MR. BYRNES added that he did not see why the deputies could not be given the same status as their respective Foreign Ministers had.

MR. MOLOTOV replied that he had already made it plain that he considered the decision of September 11 a mistake and that to continue it in violation of the Berlin decision would not be acceptable to the Soviet delegation.

MR. BYRNES inquired whether or not the deputies of France and China could not be regarded as having been invited.

MR. MOLOTOV replied that there could be no agreement on that basis. He repeated that he had already said that he felt the decision of September 11 to be a mistake and in violation of the Berlin agreement. He said he put his proposal before them but he must make it plain that he could not sign any protocol embodying what he felt to be a violation of the Berlin Conference. He said, for example, if a misprint had occurred in the document it would be absurd to continue to make the same misprint.

MR. BYRNES replied that he was merely asking in order to obtain information and not to continue the argument as to the interpretation of the Berlin agreement. He said he thought that we had just as much right to invite the deputies as we had to invite the Foreign Ministers.

MR. MOLOTOV repeated that the decision of September 11 was a mistake and that the Foreign Ministers had taken on a right which they did not have.

THE SECRETARY replied that he fully understood.

MR. MOLOTOV replied that he had at the moment only the question of drawing up the protocols in mind and that his suggestion had related only to that.

MR. BEVIN said he hoped Mr. Molotov would understand him but that in his view on Saturday night they had gone through all the proceedings and had agreed on protocols recording them.

MR. MOLOTOV stated that he could only agree to four separate protocols and not to one.

MR. BEVIN explained that he had in mind separate protocols.

MR. MOLOTOV went on to say that both Mr. Bevin and Mr. Byrnes knew what the Heads of Government had decided at Potsdam and that he felt they should not waste any more time over the rectification of one mistake which all had made. He said he was prepared to assume his share of the responsibility for this mistake but that he felt no more time should be wasted in correcting it. He said he felt they were all being stubborn in refusing to recognize a mistake. If they did not wish to correct it then they should say so openly. He added that he felt that in this Conference they had also neglected to have sufficient prior consultation between the three of them in the opening days of the Conference and that if this had been done many subsequent difficulties would have been avoided.

MR. BYRNES said that he thought that the idea of four protocols was correct and that Mr. Molotov's suggestion of separate headings reflecting the September 11 decision was an interesting one and he suggested that Mr. Molotov put it to the Council.

MR. MOLOTOV said he would do this.

MR. BYRNES observed that he thought this might be a way out of their difficulty.

MR. MOLOTOV then remarked, however, that he would not sign these various protocols in the presence of the representatives of any country who was not a signatory to the respective armistice terms.

MR. BEVIN said this raised the whole issue again and inquired whether Mr. Molotov meant that there could be no discussion of Mr. Molotov's proposal in the full Council.

MR. MOLOTOV replied that if the three of them here accepted the amendment that that would be sufficient. He then added in conclusion that he was not subordinate to Mr. Bevin and Mr. Byrnes and they were not subordinate to him and said he would submit his suggestion in writing to them. He added that he must warn his colleagues that the Soviet delegation would only consider the general protocol in the presence of the full Council.

The meeting then adjourned to join the full Council.

Council of Foreign Ministers Files : Lot M-88 : CFM London Minutes

Record of Decisions of the Thirtieth Meeting of the Council of Foreign Ministers, Lancaster House, London, September 30, 1945, 9:30 p. m.

C.F.M.(P) (45) 30th Meeting

PRESENT

U.K.

Mr. Bevin
Sir R. I. Campbell
Sir A. Clark Kerr
Mr. A. Duff Cooper

U.S.A.

Mr. Byrnes
Mr. J. Dunn
Mr. B. V. Cohen
Mr. J. F. Dulles
Mr. C. E. Bohlen

U.S.S.R.

M. Molotov
M. F. T. Gousev
M. K. V. Novikov
M. S. A. Golunski
M. V. N. Pavlov

FRANCE

M. Bidault (Chairman)
M. Couve de Murville
M. Fouques Duparc
M. Alphand

CHINA

Dr. Wang Shih Chieh
Dr. Wellington Koo
Dr. Victor Hoo
Dr. Hollington Tong
Mr. Yang Yun Chu

PROCEDURE

M. MOLOTOV reverted to the question which he had raised at the 17th and 28th Meetings of the Council³⁶ regarding the procedure to be followed in future discussion of Peace Treaties with Italy, Roumania, Bulgaria, Hungary and Finland. He again invited the Council to modify the decision on procedure which they had taken at their 1st Meeting on 11th September³⁷ and which, in his view, was

³⁶ See the American minutes of the Council's 17th meeting, September 22, and of the Council's 28th meeting, September 29, pp. 315 and 445, respectively.

³⁷ See the record of the Council's first meeting, September 11, p. 112.

in conflict with the terms of reference laid down for the Council in the Protocol of the Berlin Conference.

A full discussion took place, but no decision was reached.

740.00119 Council/9-1145

*United States Delegation Minutes of the Thirtieth Meeting of the Council of Foreign Ministers, London, September 30, 1945, 9:30 p. m.*³⁸

M. Bidault in the Chair.

BIDAULT: Shall we continue the discussion of the protocol? The Protocol Committee has met and has reported an important quantity of matter. It is in one language—I shall translate.³⁹

MOLOTOV: But I must draw your attention to the fact that we have proposed to begin the discussion of the Soviet proposal.

BYRNES: But, Mr. Chairman, I understood that we proposed that we begin with the Committee proposal; therefore I propose that we begin the Committee proposal. I understand that the protocol has been proposed—I understood that the Committee proposal was to be considered before that of any individual member of the Council.

MOLOTOV: In view of the fact that the proposal of the Soviet Delegation has been deferred more than once, the Soviet Delegation are unable to participate in the discussion of the other question until its proposal has been given consideration.

BIDAULT: What is the wish of the Council?

BYRNES: Mr. Chairman, I think there must be a misunderstanding. We have a Protocol Committee; every Delegation has a member on it. My information is that the Committee has a report. If the Committee has a report, certainly the report of the Committee should be considered in preference to a request by any one Delegation.

MOLOTOV: Unfortunately, for my part I am not able to make any other suggestion.

BIDAULT: Does any member of the conference wish to make any other suggestion?

BYRNES: Yes, Mr. Chairman. I wonder if there is not some misunderstanding. This Committee, on which the Soviet Delegation has a representative, just like all the other Delegations, has been considering the protocol and has agreed upon some proposal, and, if possible, would not my friend be agreeable to hearing the Committee; then, if any of us objects to anything in it, we must all of us agree that that Delegation could have a hearing.—Mr. Chairman, I only have learned now, have understood now what the motion is. And I am told that

³⁸ For a list of participants at this meeting, see the Record of Decisions, *supra*.

³⁹ Apparently reference is to the report of the Protocol Committee, C.F.M. (45) 87, September 30, p. 508.

what Mr. Molotov's motion is, is that instead of considering the protocol, we should consider the proposal that he had made with reference to peace treaties, and I know that this afternoon I agreed that tonight it should be discussed. But I certainly did not mean that it had right of way or preference over the report of the Committee. I suggest that we hear the protocol, and if there are any changes, we can give it back to the Committee. Then they can go to work, and then we can discuss the other matter.

MOLOTOV: Before discussing the results of the work done by the Protocol Committee, the Soviet Delegation finds it necessary to again acquaint itself with the result of the meeting of the Protocol Committee. At the present—at this moment—the Soviet Delegation are not ready to discuss the results of the meeting of the Protocol Committee as they must acquaint themselves with the report.

BIDAULT: Does this mean that we should extend the meeting in order to enable each member to get further information on the matter raised by the protocol, or does it mean that we adjourn? What is the opinion of the [Soviet?] Delegation? I would like to have a clear idea of what they wish.

BYRNES: Mr. Chairman, I am informed by our representative on the Protocol Committee that there is no difference in the text submitted by the Soviet Delegation and that already reported by the Committee, except a few unimportant things, and that there is agreement among all the members of the text of the general protocol affecting all five.

MOLOTOV: In this case, I suggest that we first consider the general protocol, provided it is ready, then pass to the proposal made by the Soviet Delegation.

BYRNES: Mr. Chairman, I agree.

BIDAULT: The French Delegation accepts that we should now proceed to discuss the protocol on general questions since we accepted that it be issued with the rest, but it is impossible not to agree at the same time on a formula to be inserted somewhere for the signature, on which there is a French proposal, which I read this afternoon, a Soviet proposal, and, I understand, also a proposal by the General Secretariat. I understand that Mr. Molotov agreed to go ahead with the general protocol that all five members sign. It would not cover the peace treaties.

MOLOTOV: No objection. It is the only protocol the consideration of which was referred to the Committee. No other protocols were referred to the Committee.

BEVIN: Mr. Chairman, I don't know what was referred to the Committee; we did not know what was in the Soviet draft. We adjourned in order to consider the Soviet draft. We agreed that the whole protocol should be examined with the Soviet Delegation draft, and now it is said that only one part of it is referred to the Protocol Com-

mittee. Now that I have seen the Soviet Delegation's draft which it referred, I am afraid I was somewhat dismayed. I agreed, Mr. Chairman, to the reference of the protocol, because I was told it was ready, but I understood from Mr. Molotov that the other drafts covering the remainder would be ready in time, and that the whole thing was to be considered by the Committee.

MOLOTOV: The Soviet Delegation can only agree to the protocol affecting all five being discussed by the Protocol Committee consisting of the five of them. The protocol affecting four should be discussed by a protocol committee of four, and so on. The Soviet Delegation will not agree to any other procedure.

BYRNES: Mr. Chairman,—

MOLOTOV: At our general meeting the Soviet Delegation will no longer participate in the discussion—in the plenary session—of questions other than general questions. And if my colleagues disagree with this, then I suggest that the meeting be closed. There is no use our wasting time in empty talk.

BIDAULT: I do not think of indulging in empty talk, although we do talk much, and my recollection of what happened during the preceding meetings are not exactly so exciting as what has been said. The French Delegation is quite willing to listen to anything any Delegation has to say with the hope of avoiding having wasted all the time we have been talking in common together.

MOLOTOV: The Soviet Delegation holds the view that during general meeting of five Foreign Ministers, we can only discuss general questions and the proposal made by the Soviet Delegation, all the other questions we cannot discuss at the meeting composed of five.

BYRNES: Mr. Chairman, then according to that statement [as] I understand it, the Soviet Delegation is ready to discuss the statement of the protocol as to the general proposal. This afternoon Molotov submitted the document with the protocol as he wished it considered. It has been checked, and the Soviet representative has agreed with the representatives of the other Delegations as to that general statement. I wonder if we cannot adopt that.

MOLOTOV: I would not object to the general protocol's being discussed.

BYRNES: Mr. Chairman, if that be so, as the Soviet representative on the Committee of five informed the Soviet Delegation that they have gone over the changes in checking the Soviet proposal with the Committee proposal, and have agreed on these changes, I wonder if we could not agree that that general protocol as amended could be adopted? So far as the United States Delegation is concerned, when its representative has agreed to it, I am willing to agree to the protocol as it was agreed to by our representative on the Committee. I am

told that it was agreed after the Soviet proposal was compared with the Committee proposal—only very little changes. All the members agreed; therefore I think we might agree that it was adopted and that the Committee go ahead with perfecting the draft of that part.

BIDAULT: What is the opinion of the other Delegations on the draft of the general protocol? Is there objection?

BEVIN: I have no objection.

WANG: The Chinese Delegation has no objection.

MOLOTOV: Though I have not read the text of the protocol, I think the Soviet Delegation will raise no objection.

BEVIN: Mr. Chairman, will there be an introduction?

BIDAULT: I would like to state the position of the French Delegation in a second. After the decision which we have just taken, we have to agree on the introduction—the preamble and text constitute a whole. I will remind you that I handed in a text which is now being modified by a Soviet proposal. The French text was:

“The above provisions have been discussed by the Council of Foreign Ministers; they are signed by the Ministers of Foreign Affairs of the countries enumerated below.”

MOLOTOV: I have another suggestion to make, Mr. Chairman. It goes without saying that the Soviet Delegation will not agree to sign the general protocol unless the proposal made by the Soviet Delegation is accepted.

BYRNES: Mr. Chairman, I will ask my good friend what difference would there be if he agreed to sign yesterday and to sign today?

MOLOTOV: We have already stated not for the first time that we withdraw our vote from the decision of September the 11th, and that means that this decision has ceased to exist as a decision, it is cancelled. It is obvious that if anyone withdraws his voice from a decision, this decision ceases to exist as a decision. That is plain. It could not be otherwise. We know very well that the Soviet Delegation considers the decision of September the 11th to be a mistake, and how is it possible for us after this to sign a protocol which embodies that statement? And we cannot do that, and you cannot compel us to do that, just as no one can compel anyone to say what one does not agree to. This could not be otherwise and no collective work would be possible otherwise, and any other interpretation will only mean that we do not realize what the Council of Foreign Ministers constitutes and it is high time we realized that. All the decisions contained in the protocol are only those decisions which have been agreed to by all. It could not be otherwise, and no one can make another agree to a decision to which he does not agree. We hold that the decision of September the 11th is incorrect, and we have withdrawn our vote from the decision, and we cannot sign the protocol which would

contain that decision. No one of you could do that, unless he agrees. I have finished.

BIDAULT: Does this mean that Mr. Molotov does not wish to sign the general protocol or that he asks that the text of our protocol should be altered?

MOLOTOV: I want to say that unless an additional decision is accepted to the effect that the decision of September 11 concerning procedure is cancelled, we shall not sign any protocol. If you disagree to this then no protocols are needed. That is all.

BYRNES: Mr. Chairman, I don't think my friend would want to insist on that suggestion. I have in my hands the Russian text that he distributed this afternoon. That text shows the text of the decision of September 11.

MOLOTOV: That will remain.

BYRNES: There ought to be no difficulty in showing just what the facts were—that on a certain day, I don't know the day, but it was about the sixteenth meeting,⁴⁰ after we had had about sixteen meetings, that the Soviet representative said he thought he made a mistake in agreeing to the decision on September the 11th, and he would no longer adhere to it.

MOLOTOV: That's right.

BYRNES: Of course in our procedure the thing that I thought the Soviet representative would do would be to move to rescind or repeal the resolution of September 11, but he did not make that motion. If such a motion were made even now, it would be for the Council to act on the motion, and the records show what occurred. All that I am saying is that the protocol ought to show just what occurred, and if it did, there could be no reason for objection by anybody, because everybody knows the position taken by the Soviet representative now. I thought he would move to cancel or repeal it or in some way have the records show it, other than by a mere statement.

MOLOTOV: That is what I want to say—that an error has been made and should be corrected, and the decision revoked. Otherwise, we shall not sign any protocol. Or else the incorrect item should be excluded, and no special decision would be required. Or else the decision adopted on September 11 should be deleted, and in this case no special decision revoking it would be required. I will not suggest that we exclude anything from the protocol, but unless the mistake has been put right, the Soviet Delegation will sign no protocol. No one can compel the Soviet Delegation to sign what the Soviet Delegation does not agree to, and says so openly. That ought to be clear.

BYRNES: Mr. Chairman, when a council adopts a resolution, acts upon it for sixteen meetings, it cannot be excluded from the record,

⁴⁰ For the American minutes of the Council's 16th meeting, September 21, see p. 371.

but that does not preclude the records showing exactly what occurred and the record should show, at some place, that on September 22 the Soviet representative informed the Council that he had made a mistake in agreeing to the resolution of September 11, and that the assent of the Soviet Delegation to that decision was withdrawn. If he wants a statement of that kind, that is the fact.

MOLOTOV: This is exactly what the Soviet Delegation stated on September 22, and the Soviet Delegation has never renounced that statement and continues to hold—to maintain that view. That is why, this is the reason for which we shall not sign any protocol unless the decision has been revoked.

BEVIN: Mr. Chairman, would it not be better to say that in the protocol, and make it quite clear, because this situation is highly embarrassing to us. The situation as I recall was that on September 22 the Soviet willingness to continue under that decision was withdrawn, and the discussion on the peace treaties was postponed. And if that was done, then we would have to consider how we could resume the discussion on the peace treaties. Could we agree to put in the protocol a statement to the effect that on September 22—

MOLOTOV: Unless this decision is revoked, we shall sign not a single protocol.

BYRNES: Is the statement of the Soviet representative not only that he make a statement, but unless the Council revokes the decision, he will sign no protocol?

MOLOTOV: That is right.

BYRNES: Then you will sign no protocol?

MOLOTOV: I am prepared to stop with that.

BYRNES: How about the communiqué?

MOLOTOV: Then there will be no communiqué. There is no use working on it. Unless there is a protocol, there can be no communiqué, because the communiqué must reflect the protocol.

BYRNES: I thought the communiqué might record the record of the meetings, what had been done, even though we did not have a protocol. I would like to know the views of the other members of the Council.

MOLOTOV: Unless there is a protocol, we shall not participate, and not be a party to anything.

BYRNES: Then, Mr. Chairman, we find out we have no protocol, and no communiqué. Then, Mr. Chairman, may I ask my good friend from the Soviet Delegation what he would let us do about the Deputies?

MOLOTOV: They have nothing to do.

BIDAULT: What now?

MOLOTOV: He who is busy should go home tomorrow.

BIDAULT: What are the views of the other members of the Council, who are also busy?

BEVIN: I should like for the sake of our own Government to record the action of September 22, Mr. Molotov's having said he made an error, and the fact that the peace treaties could not be discussed after that go on the record of this meeting. I should also like that it go on the record of this meeting that I suggested this, and asked in what manner we should deal with the peace treaties in the light of that decision. And that having suggested this, we were met with an ultimatum that we had to agree to this or we could not go on. Had that suggestion been considered for a few minutes, we might have gotten over this difficulty.

MOLOTOV: I have a statement to make on this subject:

"At the general meeting of the Council of Foreign Ministers composed of five Ministers the Soviet Delegation cannot participate in discussions of questions relating to the peace treaties with Italy, Rumania, Bulgaria, Hungary, and Finland, because this procedure does not conform with the decision of Berlin".

BIDAULT: In the name of the French Delegation I beg to ask the Soviet Delegation what is exactly the character of this statement? Is it meant for the whole Council, or for any other use?

MOLOTOV: I have made this statement at the meeting of the Council of Foreign Ministers, and I ask that this statement be recorded in the protocol.

BYRNES: What protocol?

MOLOTOV: In the minutes of this particular meeting.

BIDAULT: In that case I am obliged to say that the French Delegation adheres to the decision of the 11th of September. France, being situated in Europe, considers that nothing connected with European affairs can be settled without France. I also ask that this be recorded in the minutes.

I wonder what we should do now? I wonder whether after the discussion it might not be useful to think it over a little longer and adjourn, and have a meeting tomorrow before the departures that have been announced by several members actually take place. Anyway, the French Delegation does not feel sleepy, but it is indicated that we shorten a discussion which is not useful and may be harmful.

BYRNES: Mr. Chairman, I only want to say that this proposal to establish the Council of Foreign Ministers was proposed by the United States at the Berlin meeting of the Heads of Governments. Remembering the unfortunate experiences following the last war it was our firmest hope that we might avoid them, and that this Council might be the machinery to enable us to avoid the pitfalls of 1919. In our opinion it was the vehicle that would promote the establishment of a lasting peace on this earth. We believed that it could do the spadework, and that, meeting as friends, we could adjust difficulties, and then call in nations that had fought, suffered, and died in this war,

and have them join in our work in order that they agree to the results of our efforts.

Because of that in the last few days I have urged that there would be an agreement to call a conference in order to give the nations of the world a chance to come and see what we had agreed upon before they were asked to sign on the dotted line. We have signed the armistice terms, Great Britain, the Soviet Republics, and the United States—when we signed them, we signed some of them in behalf of the other nations of the world, and the others were signed by the three Governments in the interests of other nations. That had to be done because while hostilities were on, all nations could not be expected to sign the terms of surrender. When it comes to framing the peace that would be a just peace, and no peace is a lasting peace unless it is a just peace, when it comes to that kind of peace, the nations in whose behalf we signed the armistice terms are entitled to be heard and to be present when the treaties are signed.

I hope that we could agree to call such a conference and give hope to all the peoples of the world who love liberty and love freedom. My proposal, although offered with the understanding that if it could be agreed to, I would agree to the proposal of Mr. Molotov—but I could not secure his approval. I must say that I am disappointed because we sought only to bring to a conference table our friends and our allies, not our enemies. At Berlin the Heads of Governments never dreamed of having a paper so narrowly interpreted that it would work against the interests of our own friends. If tonight we could send word to the world that those of us who represent the larger powers were going to do the spadework on the treaty and then all people were going to be invited in to say what kind of a world we were going to have in the future, there would be happiness in millions of homes. To help in this work we have come three thousand miles across the ocean with the hope we might contribute in some part to the accomplishment of our objectives. We were disappointed, but we shall not lose our interest in the affairs of the world. We shall continue to exercise all of our efforts, use all the power that we have, to help bring about a just and enduring peace on this earth.

MOLOTOV: The Soviet Delegation holds the view that if there is an agreement with another government, this agreement should be carried out. And the Soviet Government feels that to depart from such a practice would mean undermining the prestige of such decisions and would do harm to the governments with whom the agreements have been signed. The Berlin agreement was accepted by the three Governments, and voluntarily accepted. This agreement is intended to insure peace, and why does it happen that only the Soviet Government is defending its Government's decision, whereas other governments ignore the fact that such a decision has been adopted?

Why do these other governments not regard themselves as bound to defend the decision of their governments? In order that other United Nations may believe our decisions and agreements, they should be carried out. If we do not respect these decisions ourselves, then nobody will respect them.

In the course of this war our three Governments—I am referring to Great Britain, the United States of America, and the Soviet Union, have held conferences and have adopted a number of major decisions. It was not immediately that we sometimes arrived at decision; there were sometimes disagreements on certain questions. Then we used to defer them until our differences had been settled, but once these difficulties were settled, and decisions were taken between the three Governments, we, each of our Governments, felt it their duty, and a matter of honor, to defend these decisions both in deed and in word, and to carry them out.

The Soviet Delegation prefers no new claims before our colleagues. The only thing that the Soviet Delegation prefers is that the decisions adopted by us in common and voluntarily should be carried out. Does that mean to ask for too much? Could we do otherwise? The Soviet Delegation is now compelled to come out in defense of the Berlin decision alone. The representatives of other Governments who participated in the conference at Berlin treat lightly these decisions and do not feel themselves bound by these decisions, but the Soviet Delegation feels that it defends a just cause and that it can defend this attitude with assurance, as this attitude is not only the attitude of our own, but also is an attitude which is recorded in the decision by the three Powers.

There may be cases when a decision recently adopted loses its meaning when circumstances have changed. Perhaps the British and American Governments think that the decision adopted on August 1 is no longer valid now because conditions have changed. If that is so, let them state that then. If it is necessary to change the Berlin decision, then this should be done by the Heads of Government. We Ministers are not authorized to do that—at least, as far as I am concerned as the representative of the Soviet Government, I have no authority to change or revoke the decision which was adopted by the Heads of Government.

If we carried out the decisions and agreements which we signed, then our word will be trusted, both within our states and outside of them, but if we do not carry them out, then no one will trust us. It is impossible to imagine a sadder situation for the course of the maintenance of a lasting peace than this. As long as the agreement exists the Soviet Government will carry it out honestly and constantly, and the Soviet Government will regard it as their duty and obligation to carry out these agreements—as their duty and their obligation to

their own people as well as to other allied nations. Only along this course shall we work for the sake of lasting peace in the world. I have finished.

BYRNES: I cannot refrain from saying a word with reference to the Berlin Agreement. That Agreement, in providing for the discharge of the duties of the Council members, said that it would be composed of the members representing those states which were signatories to the terms of surrender imposed upon the enemy states concerned. It said further that as regards the peace settlement with Italy, France should be regarded as a signatory of the terms of surrender for Italy. And then the Berlin Agreement provided that other members would be invited to participate when matters directly concerning them are under discussion. Pursuant to that language this Council met, and on September 11 the Governments of the Soviet Union, the United Kingdom, and the United States adopted a resolution which reads, according to the Russian text handed me this afternoon, as follows: I first read the English text of the agreement.

“All five members of the Council should have the right to attend all meetings and take part in all discussions, but in matters concerning peace settlements members whose Governments have not been signatories to the relative terms of surrender should not be entitled to vote.”

That was not only an invitation which was authorized by the Berlin Agreement—it was a solemn agreement on the part of the Governments at this table. It was entered into by the Foreign Ministers of five Governments; it was lived up to for sixteen meetings. I agree with what Mr. Molotov says—I quote his words of a few moments ago, “If we carry out the agreements we make, our word will be trusted, but if we do not carry them out, no one will trust us.” I speak with regret, but I cannot refrain from speaking when my Government is charged with not living up to the Berlin Agreement.

Mr. Chairman, does any one know of any reason why this Council should continue longer?

BEVIN: I don't like to make the statement, but since we are charged with breaking the Berlin Agreement—we are parties to the Berlin Agreement, and we honor that Agreement. We are, as Mr. Byrnes just said, parties to a later agreement and decision of September 11. We honor that. Both of us honor that. I regret, I might have said it the wrong way at the meeting today, I regret, but I cannot accept the view that one government can withdraw from a decision, and therefore the decision is null and void. As Secretary of State for Foreign Affairs of Great Britain, if I entered into that agreement on September 11 with other Foreign Ministers, and then I sought to go back on it in any way, there is only one course open to me in this country, and that is for me to resign. That is the obligation that

would be imposed upon me. If I submitted to an ultimatum I should lose all respect in this country. Let me turn it around the other way. Supposing any other member government had proposed a resolution of that kind, and I accepted it—then I should have felt myself, during the whole meeting and in the future whatever consequences fell upon me, obliged to stand by it at all costs, and I can't help believing that we are being placed in a very awkward position. As I said this afternoon that a good atmosphere would be helped if we recognised each other's position. And in Great Britain this business of Parliamentary responsibility and of Cabinet responsibility and the Secretary of State acting for them is a very serious matter indeed. And I cannot see my way clear to agree to a thing one day, and then be told that I had broken the agreement because I had declined to go away from it. In my view the Berlin Decision gave the Council of Foreign Ministers a good deal of latitude to use common sense in our work, and it was not as rigid as the position now placed upon us.

In any case under the proposal, there were two proposals set before us, one from Mr. Molotov and one from Mr. Byrnes. There was a reasonable chance of compromise which would have met the Soviet position at the same time still within the framework of the Berlin Agreement give tremendous satisfaction to the claims that Mr. Byrnes has made for the people interested. And I thought that when the first point was raised there was a chance of an amicable settlement of this without destroying the resolution of September 11 or issuing ultimatums, but by applying our minds in such a way which would have found some agreement between the whole of the Governments represented here. Therefore, we feel the United Kingdom Delegation cannot leave the matter where it is. If it is impossible to get a settlement of this difficulty here about the procedure, the only course open to us is to reopen the whole question as Mr. Molotov has suggested. When the Potsdam Agreement was arrived at the war was still raging with Japan, there have been many developments since, and I personally thought on September 11, and indeed was gratified when no objection was raised to that resolution, because I thought there was a consciousness in the Council of the necessity in the light of world events to act as a Council. Therefore I had desired to make this declaration:

“The Head of the United Kingdom Government proposes to take up the matter of the preparation of the peace treaties with the other four Governments with a view to enabling the Council of Foreign Ministers to act as a Council and to arrange for a broader participation by interested governments.”

There are two Governments represented here who were not at Potsdam, and I feel that in the light of developments, and my Government feel that there ought to be a reconsideration of this difficulty. Es-

pecially as one Government has refused to carry out its agreement of September 11, and to have the whole process, the procedure and action necessary by this Council to be reviewed by the Heads of the Five Governments. With respect to the broader participation, the discussions we have had on Mr. Byrnes' proposal for a conference indicates in my view a grave uncertainty as to where we stand even in the words "United Nations". If there is a United Nations organization, what is it? There are several conditions—I am not saying what it is—conditions of dispute and difference arising in each case. If we have to submit the peace treaties, to whom do we submit them? There is no indication in the Berlin Agreement, except in the words "states chiefly interested". There is no definition of that—whether it is purely belligerents which are "chiefly interested" or what it is. And in order to do the good work that the Council must do in the future, it is in the interests of the Council that this matter should be cleared. As the Heads of Government made the Agreement they should settle this matter in the proper manner, and to consider a broader participation by the representatives of the countries. This is the only contribution that I can make, and it is a unilateral one, that the British Government, whatever happens here, proposes to take that action. Of course, in the light of all our differences, if instead of the British Government's taking this action, the Council of Foreign Ministers should agree to take it, I should be very happy, but I don't ask this. Therefore, we felt that without asking anyone to join us we would declare that we intended to take this step.

MOLOTOV: When I mentioned the fact that our decisions may be revised in spite of the fact that they were adopted at one of our meetings I referred to the decisions which had not been approved and which had not been signed, but I did not refer to the decisions signed by our Governments. And moreover I stated openly that such and such a decision adopted by the Council of Foreign Ministers was in conflict with the decision adopted by the Heads of Government, and that therefore it could not be any longer valid. Under normal conditions the statements made by one of us to the effect that one of our decisions is in conflict with a decision between the Heads of Government leads to the necessity of its being revoked, and indeed we made more than once at following meetings amendments to the decisions adopted at our earlier meetings. I shall give an example of a case that occurred the day before yesterday when we changed one of our decisions.⁴¹ The four Delegations had agreed that there was an understanding reached concerning a definite decision on the re-

⁴¹ Molotov's reference is presumably to the amendment of the Record of Decisions of the 12th meeting of the Council; the amendment was proposed by the British delegation and agreed upon in the course of the Council's 27th meeting, September 29, 11:30 a. m.; see the American minutes of the 27th meeting, p. 441.

patriation of Soviet nationals. One of the Delegations subsequently stated that his understanding was different, and then one of the Delegates stated that his understanding was also different, and this was Mr. Bevin, who in reply to a statement made by Mr. Byrnes, said he had changed his mind.

BEVIN: No——

MOLOTOV: We did not insist on keeping the decision to which originally the four Delegations raised no objection, and only one Delegation raised it. Many examples may be cited of the cases when in the course of a conference as this, one has to change the decisions which have not been published and signed. This is a simple question.

But I must thank Mr. Bevin for his sincerity. He has made it clear now. He has explained the meaning of the proposal he made on September 11, and the proposal we originally accepted. The meaning of this proposal is that he considered this proposal to be the first step to alter the decision, the Berlin decision, but he did not say so when he suggested his proposal on September 11. But the fact itself is interesting and then that the British Government in the person of Mr. Bevin has made this statement—that the British Government stands for an abrogation of the Berlin decision. This question has not been raised before the Soviet Government in the past. It is only now that this question of the revision is being raised before the Soviet Government and is made public here in the presence of representatives of other governments. This constitutes a blow at our common agreement arrived at in Berlin, and can only serve to weaken the unity of the three powers which was observed in Berlin and in continuation of the course in which we had been engaged for four years. It is there that the meaning lies of what Mr. Bevin called this afternoon “the New Britain”. This should be made clear, because it is the first time that Mr. Bevin stated that the British Government was dissatisfied with the decision adopted two months ago and signed by the Heads of Government, and published throughout the world.

BEVIN: This is the last time I will speak tonight—or this morning—but I can't let misrepresentation go by. I did not go back on the decision about the Soviet nationals. I only questioned the draft protocol. In order to get agreement I did make a suggestion in regard to the drafting, which I did not press, but I did not go back on the decision. And to suggest that I went back on my decision is a wrong statement. There were three words Mr. Molotov wanted to take out, and I wanted to put them in. In regard to the Berlin decisions, I have stated on more than one occasion that I will observe them as long as they stand. In the course of this conference difficulties have arisen regarding which the Head of my Government proposes to consult other members, and what is wrong in stating it here quite frankly.

Furthermore, I have been willing in the discussion which has taken place to go through and finish the peace treaties on any basis in order to get peace, provided there was accord on the proposal that Mr. Byrnes put forward that I thought was reasonable. Everything is refused, and everything is rejected.

I put forward this proposal, and I am immediately charged with wrong motives and a desire to go back on decisions. What decisions, treaties and other things in this world, that as time goes on are not changed by mutual agreement. I mentioned that mistakes had been made that had to be changed. I don't mind being approached on that basis. The Council could not go on unless we had an agreement. My concluding word is this: to ask you to do something is one thing—to tell you you must do something is another thing. And I want to ask for cooperation in this Council, and so does the party I represent. I am not wasting time in this Council, or raising points of order or anything at all, and I would like that to go on record. My reputation is based on the fact that once I have given my word, I never break it. And I stand on that now, and will always stand on that. And if this Council thinks I am wrong, no one will submit to that decision more readily than I.

BIDAULT: As Chairman of this meeting—the French Delegation has something to say, but I think the fact that I am the chairman makes it incumbent upon me to hear other delegations first. If no one wants to speak, I want to speak—I feel entitled to.

The position of the French Delegation is well known. I have often stated it, not only about the Potsdam decision but also concerning the agreement that was reached on the eleventh of September. The French Government had willingly accepted to participate in this conference of Ministers of Foreign Affairs in the hope that in cooperation with the other governments it could work usefully for the preparation of peace. The first experience of this Council, although the Council reached some agreements, has not altogether been crowned with success, which the French Government deploras, perhaps more than any other. The French Delegation hopes that this experience which has not been altogether happy will not stop the great powers in their efforts for peace. And it is in this spirit that the French Delegation is ready to examine favorably any ideas for calling together with the great powers the other United Nations which have participated in the war and which always have approved any effort for international solutions, and solutions of justice, of solidarity.

WANG: I think whatever differences may exist between us tonight, we are conscious of the greatest responsibility which falls on the

Council, and on the shoulders of everyone. The Chinese Delegation has no suggestion or contribution to make, but would favor that further efforts should be made to see if we can't find a way out of this deadlock. Mr. Molotov suggested twice that a time should be set for the closing of the session, but his suggested proposals were not acted upon. May I suggest that the date of the closing of this session be set on Tuesday next,⁴² and we try to see whether in the next two days we can find a solution? If we agree on this suggestion, I shall leave the time of the calling of the meeting to the next chairman. I hope that Mr. Molotov and all my other colleagues will consent. The two days may not be fruitful, but in that case we will have only lost two days after the weeks we have been here.

BIDAULT: What is the opinion of the other members as to this suggestion made by the Delegate of China? Do we agree to have another meeting next Tuesday, or don't we?

WANG: I suggested that if we agreed to have another two days, that the time of the calling of the Council be left to the next chairman.

BIDAULT: I am sorry I misunderstood. The proposal of the Delegate of China is therefore that we should fix a date for the closing of this Council and that it should be next Tuesday.

BEVIN: I said I would not speak again, but I am as anxious as anybody in this room to see this Council a success, and as far as I am concerned, I am perfectly willing to spend tomorrow and through consultations see whether any solution might be found. Then the Council could wind up.

BIDAULT: Any objections?

MOLOTOV: The Soviet Delegation has no objection to this proposal on the condition that all parties regard this as desirable, but the Soviet Delegation wishes to state once again that they ask not to be placed in such a position that would compel the Soviet Delegation to agree to the decision of September 11, which the Soviet Delegation regards as incorrect and conflicting with the Berlin decision.

BYRNES: Mr. Chairman, from what has been said, I do not think it would serve any useful purpose, but if the other members of the Council think they would like to spend the day here, I would like to spend the day here. Mr. Chairman, if a day could be spent, I think it might be well to meet tomorrow night or the next morning.

BIDAULT: The Council could meet tomorrow afternoon at a reasonable hour, say 5 o'clock.

BEVIN: Would it be wise to leave the time open and try to get a settlement of this and to give us time for consideration later on to fix a definite time. Could it be left open?

⁴² October 2.

BYRNES: Mr. Chairman, I think if we are going to stay, I think it would be well if we could announce a meeting at some time. I think it would be better to fix a time, even if we said nine o'clock unless called earlier by the Chairman.

BEVIN: I suggest six.

(There was no objection)

The meeting adjourned.

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Report by the Protocol Committee of the Council of Foreign Ministers ⁴³

C.F.M.(45) 87

[London,] 30 September, 1945.

1. The Committee have met, as instructed by the Council, and have agreed upon the items to be included in each of four Protocols—

First Protocol: General Questions

To be signed by the United Kingdom, Union of Soviet Socialist Republics, United States of America, France and China.

Second Protocol: Italian Peace Treaty

To be signed by the United Kingdom, Union of Soviet Socialist Republics, United States of America and France.

Third Protocol: Bulgarian and Roumanian Peace Treaties

To be signed by the United Kingdom, Union of Soviet Socialist Republics and United States of America.

Fourth Protocol: Finnish Peace Treaty

To be signed by the United Kingdom and the Union of Soviet Socialist Republics.

2. Each of these Protocols will be made up of extracts from the agreed Daily Record of Decisions. The distribution of these extracts between the four Protocols is shown in the attached sheets. There will be no deviation from the language used in the Daily Record of Decisions, as already approved by the Council.

3. The Committee have considered how the preamble to the various Protocols should be worded; and they put forward alternative drafts, for consideration by the Council. (The draft for the Fourth Protocol is a formula which can be readily adapted for the Second and Third Protocols). Alternative A was proposed by the Soviet Delegation.

⁴³ The report was discussed by the Council of Foreign Ministers at its 30th meeting, September 30, 9:30 p. m.; see the American minutes of that meeting, p. 493.

[Annex 1]

Draft Preambles to the Draft Protocols of the First Session of the Council of Foreign Ministers

ALTERNATIVE A

PROTOCOL OF DECISIONS OF THE FIRST SESSION OF THE COUNCIL OF FOREIGN MINISTERS OF UNION OF SOVIET SOCIALIST REPUBLICS, UNITED STATES OF AMERICA, UNITED KINGDOM, CHINA AND FRANCE, HELD IN LONDON FROM 11TH SEPTEMBER TO SEPTEMBER, 1945

First Protocol

The following are the decisions of the first Session of the Council of Foreign Ministers held in London from 11th September to September, 1945, adopted by M. V. M. Molotov, People's Commissar of Foreign Affairs of the Union of Soviet Socialist Republics, Mr. J. Byrnes, Secretary of State of the United States of America, Mr. Ernest Bevin, Secretary of State for Foreign Affairs of the United Kingdom, Dr. Wang Shih-Chieh, Minister of Foreign Affairs of the Chinese Republic and M. G. Bidault, Minister of Foreign Affairs of the French Republic.

Fourth Protocol

The following are the decisions of the first Session of the Council of Foreign Ministers held in London from 11th September to September, 1945, regarding the Peace Treaty with Finland adopted by M. V. M. Molotov, People's Commissar of Foreign Affairs of the Union of Soviet Socialist Republics and Mr. Ernest Bevin, Secretary of State for Foreign Affairs of the United Kingdom. Dr. Wang Shih-Chieh, Minister of Foreign Affairs of the Chinese Republic and M. G. Bidault, Minister of Foreign Affairs of the French Republic also took part in the discussions.

[Annex 2]

Draft Preambles to the Draft Protocols of the First Session of the Council of Foreign Ministers

ALTERNATIVE B

PROTOCOL OF DECISIONS OF THE FIRST SESSION OF THE COUNCIL OF FOREIGN MINISTERS OF UNION OF SOVIET SOCIALIST REPUBLICS, UNITED STATES OF AMERICA, GREAT BRITAIN, CHINA AND FRANCE, HELD IN LONDON FROM 11TH SEPTEMBER TO SEPTEMBER, 1945.

First Protocol

"The Foreign Ministers of the Union of Soviet Socialist Republics, United States of America, United Kingdom, China and France held

in London from the 11th to the September, 1945, the first Plenary Session of the Council of Foreign Ministers. The Council reached the following conclusions:—”.

Fourth Protocol

“The Foreign Ministers of the Union of Soviet Socialist Republics, United States of America, United Kingdom, China and France held in London from the 11th to the September, 1945, the first Plenary Session of the Council of Foreign Ministers. The Council of Foreign Ministers discussed proposals for the Peace Treaty with Finland; and the following decisions were reached by the Foreign Ministers of the United Kingdom and the Union of Soviet Socialist Republics:—”.

[Annex 3]

Draft First Protocol of the First Session of the Council of Foreign Ministers

FIRST PROTOCOL

To be Signed by the United Kingdom, Union of Soviet Socialist Republics, United States of America, France and China.

This Protocol will consist of the following extracts from the agreed Daily Record of Decisions:—

11th September

Procedure of the Council
Agenda for the Session
International Inland Waterways

12th September

Austria
Repatriation of Soviet Citizens

14th September

Reparations from Germany
Repatriation of Soviet Nationals
Secretariat
Control and Administration of Germany
Reparations from Germany

15th September

Poland
Reparations from Germany

17th September

Poland
Control and Administration of Germany

20th September

Procedure: Publication of Decisions of the Council

21st September

Record of Proceedings of the Council

22nd September

Withdrawal of Troops from Iran

European Inland Waterways

Austria

24th September

Japan: Allied Control Machinery

Austria: Food Supplies

Austria: Central Government

European Inland Waterways

Repatriation of Soviet Nationals

25th September

Japan: Allied Control Machinery

Repatriation of Soviet Nationals

Austria: Central Government

Reparations from Germany

26th September

Press Communiqué of 20th and 21st Meetings

Restitution

Control and Administration of Germany

27th September

Control and Administration of Germany

Restitution

Repatriation of French Nationals

Austria: Food Supplies

28th September

Austria: Food Supplies

Control and Administration of Germany

Outstanding Business of the Conference

Procedure of Deputies

29th September

Austria: Food Supplies

Record of Decisions of the Council

Protocol and Communiqué

[Annex 4]

Draft Second Protocol of the First Session of the Council of Foreign Ministers

SECOND PROTOCOL

To be signed by the United Kingdom, Union of Soviet Socialist Republics, United States of America and France.

This Protocol will be concerned only with the Italian Peace Treaty, and will consist of the following extracts from the Daily Record of Decisions:—

11th September, 1945.

Italian Peace Treaty: Procedure

12th September, 1945.

Italian Peace Treaty: Procedure

14th September, 1945.

Italian Peace Treaty: Procedure

Italy: Draft Heads of Peace Treaty

Italian Peace Treaty: Procedure

Italy: Disposal of Italian Colonies

15th September, 1945.

Italian Peace Treaty: Procedure

Italy: Disposal of Italian Colonies

17th September, 1945.

Italian Peace Treaty: Yugoslav-Italian Frontier and Trieste

Italian Peace Treaty: Dodecanese Islands

Italian Peace Treaty: Armaments

Italian Peace Treaty: Yugoslav-Italian Frontier and Trieste

Italian Peace Treaty: Armaments

Italian Peace Treaty: War Crimes, etc.

Italian Peace Treaty: Reparations

18th September, 1945.

Italian Peace Treaty: Yugoslav-Italian Frontier and Trieste (3 items)

19th September, 1945.

Italian Peace Treaty: Yugoslav-Italian Frontier and Trieste (2 items)

Italian Peace Treaty: Economic and Financial Matters

Italian Peace Treaty: Sovereignty of Italy

Italian Peace Treaty: Questions of special concern to China

Italian Peace Treaty: Dodecanese Islands

Italy : Disposal of Italian Colonies
Italian Peace Treaty : Reparations

22nd September, 1945.

Procedure

28th September, 1945.

Procedure for further discussion of Peace Treaties

29th September, 1945.

Procedure for preparation of Peace Treaties

[Annex 5]

Draft Third Protocol of the First Session of the Council of Foreign Ministers

THIRD PROTOCOL

To be signed by the United Kingdom, the Union of Soviet Socialist Republics and the United States of America

This Protocol will be concerned only with the Bulgarian, Hungarian and Roumanian peace treaties, and will consist of the following extracts from the Agreed Daily Record of Decisions.

12th September, 1945

Peace Treaties with Bulgaria, Hungary and Roumania

20th September, 1945

Roumania : Peace Treaty

21st September, 1945

Roumania : Peace Treaty. (Two Items)

Bulgaria : Peace Treaty

22nd September, 1945

Procedure

28th September, 1945

Procedure for further discussion of Peace Treaties

29th September, 1945

Procedure for preparation of peace treaties.

[Annex 6]

Draft Fourth Protocol of the First Session of the Council of Foreign Ministers

FOURTH PROTOCOL

To be signed by the United Kingdom and the Union of Soviet Socialist Republics

This protocol will be concerned only with the Finnish Treaty and will consist of the following extracts from the Agreed Daily Record of Decisions.

12th September, 1945

Peace Treaty with Finland

20th September, 1945

Finland: Peace Treaty (2 Items)

22nd September, 1945

Procedure

28th September, 1945

Procedure for further discussion of peace treaties.

29th September, 1945

Procedure for preparation of peace treaties.

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Note by the Senior Secretary of the Joint Secretariat (Brook) to the Council of Foreign Ministers

C.F.M.(45) 71

LONDON, September 30, 1945.

DRAFTS FOR A PROTOCOL OF THE PRESENT CONFERENCE

1. The Protocol Committee met last night, as instructed by the Council, to prepare a draft of the final Protocol.

There was a difference of view between the Delegations regarding the form in which the Protocol should be prepared. Three different arrangements were suggested:—

(a) by subject matter, as in the Protocol of the Berlin Conference and other Conferences of Heads of Governments held during the war;

(b) purely chronological, setting out in chronological order extracts from the approved Daily Record of Decisions arranged in four groups—first, general questions affecting all five members of the Council; secondly, the Italian Treaty affecting only four members of the Council; thirdly, Treaties with Bulgaria, Hungary and Roumania affecting only three members of the Council; and lastly, the Treaty with Finland affecting only two members of the Council;

(c) chronologically by subject matter, setting out in chronological order, but under subject headings, the extracts from the approved Daily Record of Decisions.

2. The representatives of the Soviet Delegation said that they were under instructions to prepare a draft Protocol by dividing the Daily Record of Decisions into four groups, viz: decisions affecting all members of the Council, four members, three members and two members. They had no authority to assist in the preparation of a draft

Protocol in any other form. They therefore preferred the form described in (b) above; but were prepared to collaborate in the preparation of a draft Protocol in form (c) above, if it were divided into these four groups.

The representatives of the French and Chinese Delegations, on the other hand, had no authority to collaborate in the preparation of a draft Protocol which would pre-judge the question, to be discussed by the Council to-day, whether there should be one Protocol or four. They were, therefore, unable to assist in the preparation of a draft Protocol in either of the forms in which the representatives of the Soviet Delegation were authorised to prepare it.

3. In these circumstances it was impossible for the Protocol Committee, as such, to submit any document for consideration by the Council at their meeting to-day. In order that the Council may have some document as a basis for their discussion at to-day's meeting, I put forward—on my own responsibility—alternative drafts of a Protocol—

C.F.M.(45) 72 ⁴⁴—arranged by subject matter, on the model of recent Protocols, but using to the fullest possible extent the language of the agreed Daily Record of Decisions;

C.F.M.(45) 73 ⁴⁴—an arrangement of the agreed Daily Record of Decisions, chronologically under subject headings, in accordance with the suggestion at 1 (c) above.

4. The Protocol Committee agreed that I should put forward these drafts on my own responsibility as a basis for the Council's discussion at their meeting to-day. Neither of the drafts has been agreed with the other Delegations; but the second (C.F.M.(45) 73) is no more than an arrangement of the agreed texts of the Daily Record of Decisions, and the first (C.F.M.(45) 72) follows to the fullest possible extent the language of the Daily Record of Decisions. Both drafts are so arranged that they could be signed, as they stand, by all the members of the Council or, if the Council so decided, could be divided into groups affecting, respectively, five, four, three and two members of the Council.

NORMAN BROOK

740.00119 Council/9-3045

The British Secretary of State for Foreign Affairs (Bevin) to the Secretary of State ⁴⁵

[LONDON, September 30, 1945.]

In view of the difficulties that have arisen in concluding the Peace Treaties, I feel that any further discussion on the Resolution of Sep-

⁴⁴ Not printed.

⁴⁵ At the beginning of this communication there is the notation in Bevin's handwriting, "Very Personal to Mr. Byrnes"; the date "Sept 30 45" appears in an unknown handwriting at the top of the document.

tember 11th or on the proposed convoking of a Conference will be futile. The question therefore arises whether we should break on a question of procedure, on which I think we are all agreed that Molotov is strictly legally right, although morally unsound. I have thought very carefully over the situation which would arise in Great Britain and I take the view that public opinion here, if it was found that we broke on such a narrow point, would have very bad repercussions, especially at a moment when so much bilateral activity is going on.

I have had the greatest possible difficulty over the Control Council for Japan, but in order to keep common ground I have given way. I don't know how I am going to defend this when I get into the House.

That brings me down to the question of Roumania and Bulgaria which involves the question of recognition and the conclusion of a Peace Treaty and procedure. Now on the question of recognition I don't want to give way in this Conference. This was a bilateral action which I felt should be taken in order to keep in step with the U.S.A. and which I felt I could support with no prior consultation. Therefore the point now is so narrow that in my view what we ought to do is not to discuss the decision of September 11th at all, but merely to agree that for the conclusion of the *preparatory work of the Peace Treaties* it should merely be determined that the Secretariat for finishing the agenda on Italy the Council will consist of the 4 Governments; for the conclusion of the preparatory work on the Balkans it should consist of the 3 Governments; for the conclusion of the preparatory work on Finland it should be the 2 Governments. The Secretariat would be instructed to call the meetings accordingly during this present session. This will involve the Protocol and I cannot help feeling that Molotov had a point last night regarding the decision of September 11th; but this was only a question of presentation and I don't think it makes much difference, the deputies will follow this procedure accordingly.

What action should follow? My view is that Molotov or Stalina is not in a position to agree to anything else and therefore the only course open to us to satisfy the great public of the world is a unilateral declaration by each Government if they choose, certainly not by the four Governments collectively. For my part I am inclined to take the view that I should have to make a declaration in view of my experience at this Conference as follows:

In view of the difficulties regarding procedure which have held up the work on the Peace Treaties of the Council of Foreign Ministers, and of the representations which have been made for the participation by other interested Governments in the consideration of the Peace Treaties, the Head of the United Kingdom Government proposes to take up the whole question of procedure for the future with the other four Governments members of the Council. This will not interfere with the work proceeding in accordance with the Berlin decisions.

I should not make this Declaration until the Protocol was signed & right at the end.⁴⁶

E[RNEST] B[EVIN]

7440.00119 Council/10-145

*Memorandum of Conversation*⁴⁷

[London,] October 1, 1945, 10:30 p. m.

Present: The Secretary

Mr. Bohlen

Mr. Molotov

Ambassador Gusev

Mr. Pavlov

Mr. Bevin

Sir Ronald Campbell

Mr. Paton-Smith

MR. MOLOTOV said he had asked the others to come in order to find some way to finish this matter in peace. He said the only way to do that was for no one to attempt to impose their decisions on another. What had been agreed on should be recorded in protocols but disagreements should merely be taken note of. Otherwise, an awkward situation would develop. He added that no international conference could impose a decision on any country except on a defeated country and everyone at this Conference was on equal footing.

THE SECRETARY replied that there must be some misunderstanding, that there was no question of imposing any decisions on anybody. He said of course all were equal but it looked a little to them as though the Russians were asking that the others accept their wishes. He added that last night Mr. Molotov had said that the participation of China and France was based on invitations issued by the signatory powers and a reference to that effect should go into the protocols in regard to the peace treaties.

MR. MOLOTOV interposed to remark that only on the understanding that there should be a further notation to the effect that this decision had been repealed. In this way a mistake would be corrected.

THE SECRETARY replied that that was precisely the question—whether all could agree to repeal the invitations. He went on to say that they had also agreed to invite White Russia and the Ukraine to come and state their views and that if the invitations under the September 11 decision were null and void did this mean that the other

⁴⁶ The final sentence is written in Bevin's own handwriting.

⁴⁷ Authorship of this memorandum not indicated, but presumably written by Mr. Bohlen.

invitations were also. For example, what would happen if Mr. Bevin decided to object to these other invitations.

MR. MOLOTOV said he would have that right and that there would then be no decision.

After further discussion as to the status of other information MR. MOLOTOV remarked that the Soviet delegation considered the invitation withdrawn due to their objection and that no one could force him to sign any agreement which he felt had been wrongfully taken.

THE SECRETARY remarked that it was likewise impossible to force him to withdraw invitations which had been issued in full conformity with the Berlin decision. He said he was regretfully prepared to withdraw this invitation if his proposal for the convoking of a conference was accepted which would constitute assurance to France and China as well as other nations that they would be brought in at a later stage on an equal footing.

MR. BEVIN said he agreed with Mr. Byrnes and in a spirit of compromise could they not agree to record what had happened. That is, leave the decision of September 11 as it was adopted in the protocol but include the Soviet reservation as set forth in their statement of September 22.⁴⁸ They could then continue the consideration of the other protocols. He added that on Saturday he had agreed that the signatures on the various protocols would be limited to the representatives of the countries who had participated in the decision.

MR. MOLOTOV remarked that nothing could come out of such a proposal and that he felt Mr. Bevin was trying to bring on a quarrel.

MR. BEVIN replied that he would ask Mr. Molotov not to charge him with motives that he did not have when he had made the suggestion in good faith.

MR. MOLOTOV then said that for example at Dumbarton Oaks⁴⁹ there had been two separate sets of meetings; one, the U.K., the U.S., and the U.S.S.R.; the second, the U.K., the U.S., and China and that the general protocol had then been issued and that no one had felt offended, neither China because she was not in the first series nor the Soviet Union because she was not in the second.

THE SECRETARY remarked that Mr. Molotov apparently wished to completely reverse the Dumbarton procedure. There, there had been separate meetings and one protocol, and here there had been one meeting and Mr. Molotov wanted separate protocols. He said furthermore that everyone had known the reason why the Soviet Union

⁴⁸ For Molotov's statement at the Council's 17th meeting, September 22, 5:30 p. m., regarding the Soviet reservations, see p. 316.

⁴⁹ For documentation regarding the conversations at Dumbarton Oaks, August 21 to October 7, 1944, regarding the establishment of an International Organization for the maintenance of international peace and security, see *Foreign Relations*, 1944, vol. I, pp. 713 ff.

and China did not want to sit together at Dumbarton Oaks because the Soviet Union was not in the Pacific war.

MR. MOLOTOV then suggested that they join the Council as they did not appear to be getting very far.

740.00119 Council/9-1145

*United States Delegation Minutes of the Thirty-First Meeting of the Council of Foreign Ministers, London, October 1, 1945, 11 p. m.*⁵⁰

Mr. Bevin in the Chair

BEVIN: The meeting is in order, and the business before the meeting, as I understand it, is the form and method of signing the protocols.

MOLOTOV: My proposal is to charge the deputies with drawing up of the general protocol tomorrow. My second proposal is to accept the first proposal and close our meeting. Also, that the general protocol is ready and it should be discussed tomorrow.

BYRNES: May I ask if the protocol has been completed, and if so whether it could be given to the various delegations and they can take it to their offices here and read it, and if they approve it, they can sign it.

MOLOTOV: The Soviet delegation has got such a draft of the protocol and they have no objection to our adjourning for a half hour in order to enable them to agree upon the draft. That will be all right.

BEVIN: Agree to adjourn for half an hour?

BYRNES: Mr. Chairman, I suggest we go on. I have had a good rest today. I would be glad to work awhile here. I have the document number 72,⁵¹ and if the——

BEVIN: (interposing) I beg your pardon. 72 has not been checked.

MOLOTOV: I have not seen it.

BYRNES: I don't know. Suppose we ask the chairman of the protocol committee to give us what has been checked, and let us see what has been agreed to by the committee.

BIDAULT: Mr. Chairman. I must apologize. I am a beginner at this meeting. I have no special qualifications for procedure. I must

⁵⁰ There appears to have been no Record of Decisions of this meeting. According to the British record of this meeting, not printed, the following persons were participants: United Kingdom—Bevin, Campbell, Clark Kerr, and Duff Cooper; United States—Byrnes, Dunn, Dulles, and Bohlen; Soviet Union—Molotov, Gusev, Novikov, Golunski, and Paylov; France—Bidault, Couve de Murville, Alphand, and Fouques Duparc; China—Wang Shih-Chieh, Wellington Koo, Victor Hoo, Hollington Tong, and Yang Yun Chu. The British record indicates the time of the meeting as 10 p. m.

⁵¹ C.F.M.(45) 72, undated, "Draft Protocol of the Proceedings of the First Plenary Conference of the Council of Foreign Ministers", not printed. For a brief description of this draft protocol, see note by the Senior Secretary of the Joint Secretariat, C.F.M.(45) 71, September 30, p. 514.

frankly confess that I understand nothing. Therefore, I have no objection whatever to an adjournment.

BYRNES: Mr. Chairman, may I suggest then that we take a recess for half an hour and in that half hour ask whoever is chairman of the protocol committee if he can get the draft that Mr. Molotov says he has, check it with what the protocol committee has, and see if they can give us anything that they have agreed on—in thirty minutes.

BEVIN: The position before the meeting is this—which we went through the other night, and we can finally complete it—in the form of presentation. The suggestion is now that, as I understand it, that the protocol committee should meet and project it in a form which we can understand. We will meet, then, in a half hour.

BYRNES: Right.

MOLOTOV: The suggestion that I have made is different. My suggestion was that the deputies should be charged with agreeing upon the general protocol. I do not suggest that other protocols should be interrupted to them but my suggestion relates only to the general picture and it should be for them, and they should—

BYRNES: (Interposing) I again ask—

MOLOTOV: The general picture, I mean. The protocol embodying the general—affecting all, and the general protocol does not deal with treaties.

BYRNES: I renew my request to take a recess for thirty minutes.

(adjournment for thirty minutes here)

BEVIN: I will ask Mr. (Norman) Brook to report.

BROOK: The protocol committee have not appointed a chairman so they have asked me as secretary to make their report. The committee members tonight have agreed on the draft of the general protocol on the basis of the Russian text submitted by the Soviet delegation.⁵² The English version to that draft has now been handed to members of the Council. The committee have now met again and compared this with the revised Russian text handed in by the Soviet delegation this evening. There are a few differences of substance between the Russian text and the English text which has been handed to us and these differences are marked in the copies of the English text which has been handed to the Ministers. I have been asked to draw the attention of the Council to the following differences.

First, the Russian text has a heading and preamble in the following terms. (reading here)⁵³

⁵² The draft of a general protocol agreed upon by the Protocol Committee was not circulated in the Council of Foreign Ministers as a formal document and a copy has not been found in the Department's files. An outline of the general protocol was circulated in the Report by the Protocol Committee, C.F.M.(45) 87, September 30, p. 508.

⁵³ The text of the preamble in the Russian draft protocol was quoted in the British record of this meeting of the Council. The text is the same as that included as "Alternative A", Annex 1 to the Report by the Protocol Committee, C.F.M.(45) 87, September 30, p. 509.

The first change of substance in the text which I have to draw attention to is on page one of the English text—paragraph E is omitted.⁵⁴

The second difference of substance is on the top of page two of the English text, where the first three items are deleted—(reading here).⁵⁵ Those three are deleted and there are consequential changes in the numbers.

The reason given is that they are all concerned with matters which are appropriate to the other protocols.

I should have explained that the same reason is given for the omission of paragraph E on page one, namely, that that paragraph is concerned with procedure for the discussion of peace settlements and is therefore more appropriate for the other protocols.

The only other change to which I was asked to draw attention to is at the last paragraph of all, page 11, which is changed to read as follows—(reading here).⁵⁶

Finally, I should add, within the short time available tonight, it has not been possible to check every word in these texts, but if it is adopted by the Council it will be necessary to check textually the French, English and Russian versions.

BIDAULT: It appears to the French delegation that we are in a great confusion, and the French delegation, which has not participated—as I have had occasion to point out, to the meetings which seemed to have filled up the day, doesn't know at all where we are. We are now beginning the determination of the general protocol. Wouldn't it be advisable to know the procedure that has been adopted for the whole of the protocols, because this would condition our position as regards the general protocol. It would be difficult for the French delegation to express an opinion on the preliminary protocols without knowing what would happen to the other protocols. That's all.

BEVIN: The position, as I understand it, subject to correction, is that in regard to the question of members of the Council, instead of placing it in the general protocol it is intended to place it at the heads of the treaties according to the nations that it affected. I should explain to Mr. Bidault that there has been no meeting except that I

⁵⁴ Reference here is to paragraph 1(e) of the Record of Decisions of the Council's first meeting, September 11, 1945; for the text of this Record of Decisions, see Annex 1 to memorandum by the Joint Secretariat, C.F.M. (45) 66, September 29, p. 458.

⁵⁵ Apparently reference is to sub-paragraphs (1), (2), and (3) of paragraph 2 of the Record of Decisions of the Council's first meeting, p. 112.

⁵⁶ According to the British record of this meeting of the Council, the reference here was to paragraph 3 of the Agreed Record of Decisions of the 28th meeting of the Council, September 29, 3 p. m., p. 441, which the proposal of the Soviet delegation would revise to read as follows: "The Council instructed the Protocol Committee and the Press Communiqué Committee to prepare, for consideration at their next meeting, a draft Protocol of the decisions of the first session of the Council of Foreign Ministers of the United Kingdom, the United States of America, the Union of Soviet Socialist Republics, France and China and a draft communiqué regarding the work of the Council's first session." (Council of Foreign Ministers Files: Lot M-88: CFM London Minutes)

had consultation with Mr. Byrnes and Mr. Molotov separately and I met them for a few minutes before this meeting opened,⁵⁷ which delayed the meeting, in order to see exactly what the position was. That was in accordance, as I understood, with what was decided last night in order to try and get a solution of these problems. Therefore, the only knowledge I have is what I have given, that any reference to peace settlements should be in connection with the protocols relating to peace settlements, and nothing in the general protocol.

BIDAULT: I have already indicated the position of the French delegation as regards the common decision of September 11. I am not in a position to discuss the general protocol, nor any other particular protocol without having at least cognizance of the whole of the text, and time to read it.

MOLOTOV: Maybe somebody will clear up my misunderstanding. The question I want to ask is whether the French delegation have voted on paragraph E of the decision of September 11 or not?

BIDAULT: Mr. Chairman, I am not in a position to reply for everybody, but I can reply for myself. I have voted, of course, as everybody does.

MOLOTOV: But from the text of this decision it follows that the French delegation have no vote as regards treaties of peace. How could the French delegation have voted then?

BIDAULT: Mr. Chairman, I do not think we voted on the peace treaties; we voted on the procedure. We have together decided that we accepted not to be parties to such a decision. And I said that it was not particularly pleasant for a country which has had the history of France should have now to go out on history—it will continue to play a part in history. We have accepted—but in other words, France has voted that it had no right to vote.

MOLOTOV: I feel that the explanation given by Monsieur Bidault runs counter to the sense of the decision as I cannot agree with it.

WANG: Mr. Chairman, I want to say a few words. I think we all see what a difficult position China is placed. China has been invited to be a member of this Council. China does not count as a signatory of any of the treaties we have been discussing. If the omission of this paragraph concerning the competence of the Council, means it is to be excluded from the protocol, China could not accept unless we should have an agreed plan as to what we are going to do. I understand that there is no agreed plan as to what we are going to do after adjournment of this session of the Council. Therefore, I think all my colleagues around the table can see the difficulty China

⁵⁷ Regarding the meeting of representatives of the United States, United Kingdom, and Soviet delegations at 10:30 p. m., see the memorandum of conversation, *supra*.

is placed in agreeing to the conditions. As to what we are going to do, I will not suggest any new plan of my own. After careful study of Mr. Byrnes' proposal to call a peace conference in order to obtain wider consultation, the Chinese delegation finds that the plan is just and reasonable. I would therefore recommend that plan to my government—recommend that the proposal be given consideration, and I hope that my colleagues here will also see their way to do likewise.

MOLOTOV: The Soviet delegation will be able to take part in the discussion of the question raised by Mr. Byrnes at a meeting of representatives of the states which signed the terms of armistice. And the Soviet delegation will refrain from the participation in the discussion of this question at a meeting composed differently.

BEVIN: Now, as I understand the position now, the Soviet delegation objects to the decision taken on September 11 to be included in the official protocol.

MOLOTOV: The Soviet delegation will have no objection to the inclusion of this in the protocol. If the additional proposal made by the Soviet delegation on September 29 to the effect that this paragraph should be amended is accepted—circulated on September 30th, so dated—number 4583,⁵⁸ the Soviet delegation thinks that the only logical course would be to put this paragraph in the three other protocols which are to be signed by the countries which signed the terms of armistice, plus France on the question of Italy, which country invited the other delegations who are mentioned in this paragraph. And in the shape as this paragraph stands now, it is illogical because it refers to the presence of five members of whom three members have the right to vote and two have no right to vote on this question.

BEVIN: My difficulty is at the moment that I have got to deal with this general protocol. I understand Mr. Molotov suggests this matter be dealt with when we deal with the other protocols. Therefore he objects that the recorded decision of September 11 is to go into the official protocol. I don't think we can do it. The decision is on our record. All we are asked to do now is to record one of our official decisions in the protocol.

MOLOTOV: There are no official records in the protocol.

BEVIN: We don't put all the unofficial record in the official record.

MOLOTOV: I cannot agree with the interpretation placed upon my words, but neither shall I go into argument, in order to save time.

BYRNES: Mr. Chairman, I understand the representatives of the Soviet Republic to say that they had no objection, that the only thing to do would be to put this paragraph in the three other protocols but he objected to its going in this particular one. Is that your understanding?

⁵⁸ Reference here is to C.F.M.(45) 83, September 30, Resolution Proposed by the Soviet Delegation, p. 474.

MOLOTOV: That's right. But in these other protocols I shall suggest—I shall make my amendments.

BYRNES: Well, that, Mr. Chairman, of course is—I was mistaken. My understanding was that Mr. Molotov had said that the only logical thing to do would be to put this paragraph in the three other protocols. If that is so, there would be no reason for wasting time discussing the putting it in this particular one, if it is in some other one. It would be all the same. But if it is to be amended, that is a different thing.

MOLOTOV: I have in mind that these other protocols will contain the same decision concerning the repeal of this decision as was suggested for this protocol, but I have also in mind that the three other protocols will be drawn up by those who are going to sign them.

BEVIN: Did I understand Mr. Molotov to say that if this decision doesn't go in this general protocol there would be a reference to this decision in the other protocols?

MOLOTOV: It is—that's right. It is half in that one—the matter; and the second half of this proposal is that the Soviet delegation will insist on these other protocols being mentioned—that this decision is revoked. Or else paragraph E can be kept in this general protocol with the understanding that it will also contain the provision that the amendment suggested by the Soviet delegation is accepted.

BEVIN: What is the amendment? I can't remember.

MOLOTOV: Number 4583.

BIDAULT: Mr. Chairman, we are, I think, still more or less at the same point and I shall present my impressions. When shall we see the whole of the text? I am not prepared to take a decision lightly on a matter which is of the utmost concern both to myself and to the French government. I think that—I suggest that I might ask the protocol committee to conclude their work. We have already wasted much time in matters of procedure, but I think that before they concluded we might ask the people to conclude their work and make a report to us.

BEVIN: Even in accordance with the suggestion of Mr. Molotov, wouldn't it be a good thing to have the whole of the protocol circulated to those members who he thinks ought to sign, in order to see the case of France and Italy. I appreciate the French position. They don't know where they will be in that discussion on the other position. Speaking for myself, as a full member of the Council on all these subjects, I confess that it would help me to make up my mind, and probably not have any differences with Mr. Molotov, if I could see the whole picture.

MOLOTOV: It is not a question of any one of us holding a certain view. You must remember the question is that there is a decision adopted by the three Governments, and I remain on the basis of this

decision; and, therefore, I suggest that we should not discuss the question of which we have not been referred to us. I feel that we should not discuss here the reading of B, if they have not been referred to us, but they have been referred to certain other States.

BEVIN: Mr. Molotov suggests that there is to be a reference in the two treaties. It makes me want to see the whole thing. If this document contains it, then there would be no reason to refer to this particular thing in any other document, except an amendment to take its place as affecting the peace treaty.

Any other observations? The suggestion before the meeting is twofold: one, an amendment to take the place of E as proposed by Mr. Molotov on the 11th of September. What is the Council's opinion?

BYRNES: Mr. Chairman, I understand the suggestion was made that it be eliminated, and two members of the Council have objected to its elimination. One of the members of the Council stated that he wished to see the protocol of the treaty with Italy, and I am advised by the U.S. representative on the protocol committee that in a very short time they could report that protocol to the Council and that would give the representative of France the information he desires. If the committee had thirty minutes and they had the protocol, they could then send it to our rooms in the building and nobody would be affected. Of course, I do think that five nations that are to be permanent members of the Security Council to preserve peace in the world might be able to consider it without doing any great harm.

If that can be done, that is the only way that I see that we can go forward. Have the committee meet and say that to each member of the protocol, and let them determine whether they want to discuss it or not. I am told it is quite short.

BEVIN: Can we adjourn while we let the members see what the substance is? I take it that is the members affected. (General agreement here)

BYRNES: That's right.

BEVIN: Could we agree to that course?

MOLOTOV: I can only repeat one thing, and namely, that the Soviet delegation cannot agree to violate the Berlin agreement, and the Soviet delegation does not advise anyone who will sign this agreement to do likewise.

BEVIN: What my suggestion was is that those who are strictly affected by the Berlin agreement—take the Italian treaty—should, before they were asked to take a decision on this, see what is going into the Italian treaty.

MOLOTOV: I think that under the Berlin agreement, everything that relates to the treaty of peace should be decided only by those States who are signatories to the armistice terms, and I therefore think that we should not discuss any questions relating to the treaties here.

Of course, peace treaties as well as protocols relating to them may be discussed, but the Soviet delegation will be unable, in this case, to participate in the discussion of this question. I would suggest that the parties concerned should get together separately to discuss the questions relating to, for instance, the peace treaty with Italy, and then the same should apply to peace treaties with other countries; and I have in mind only those who are signatories to the armistice terms. If we wish to expedite the matter, then we should act in accordance with the Berlin agreement, and the Soviet delegation cannot be a party to the breach of this agreement.

BEVIN: Is it understood that we adjourn for half an hour and let the countries affected see what is in the treaty?

MOLOTOV: No objection.

BIDAULT: I do not understand what is going on, I must confess. A few moments ago it was said that the five States would be asked to take part in the discussion of the peace treaties, and understood well the formula proposed by Mr. Molotov for inclusion into the protocol. We cannot accept that a member should be excluded, when there will be discussion of a given question. On the other hand, I have already stated, and I maintain, that I wish to see the whole of the text, and not only the general protocol, or the protocol on Italy. Will those texts be ready tomorrow? If such is the case, the French delegation will be prepared to examine them.

BYRNES: Well then, I understand there is no objection to a recess for a half hour?

BIDAULT: It is the only thing to which I have no objection so far. (Laughter)

(Recess for half an hour) ⁵⁹

(Re-convened at 2:30 a. m.)

BEVIN (Chairman): We have handed to us certain documents in regard to the Italian peace treaty. The original—(inaudible)—of September 11 is not, in my opinion, correctly stated.

MOLOTOV: We are not going to discuss the general protocol—

BEVIN (interposing): Please let me finish, if you don't mind. I happen to be Chairman. On September 11, we extended an invitation to Dr. Wang to be present and take part in our meeting. And in paragraph two it says the protocol is hereby revoked. Therefore.

⁵⁹ According to the British record of this meeting, not printed, the Council adjourned in order to enable the Secretaries of the delegations concerned to prepare an English text of the draft proposed by the Soviet delegation for the Protocol dealing with the Italian Peace Treaty. Neither the French nor the Chinese delegations participated in this examination of the Soviet delegation's draft. The English text of the Soviet delegation's draft was submitted to Mr. Byrnes and Mr. Bevin. No record of the Soviet draft has been found in Department files.

the position of our guests at this table is affected by this question of revoking paragraph E of September 11. Therefore, what the Council must decide before the rest of the Ministers affected by these treaties continue with it, is whether they revoke in the main issue this paragraph E and withdraw the invitation extended to our colleagues.

MOLOTOV: My suggestion is this. It is half-past two, and I suggest that in view of the late hour we close our meeting.

BYRNES: Mr. Chairman, can't we get this through? We have waited for the paper to be presented. Now it is presented. Can't my friend stay a little while and see if we can't dispose of it one way or the other?

MOLOTOV: It is my request that we close this meeting, in view of the late hour, and we may set an hour in the morning or in the afternoon. I suggest that we request our present Chairman to make arrangements with the other three as to the hour to be set for our next meeting tomorrow, or the Russian delegation will be prepared to accept any hour beginning from six o'clock in the morning. (Laughter)

BYRNES: Mr. Chairman, I only want to say this: that all of this day we were unable to meet. I am willing to stay as long as there is any hope of our accomplishing anything, but I really do not think—it has been days and days upon protocol. I think we ought to meet early so that we can dispose of this matter one way or the other tomorrow.

MR. BEVIN: What are the wishes of the Council? Have we any proposal to adjourn?

MOLOTOV: My request—suggestion is that we request the Chairman to set an hour tomorrow for our meeting, to deal with both the general protocol and others.

BIDAULT: I shall only repeat, Mr. Chairman, what I have already said, that I should like to be in a position to see all the protocols together, so that I can take a position on that.

BYRNES: Mr. Chairman, I don't think that we should have tomorrow this situation that we had, for the last two reasons [*sessions?*]. When I left the discussion, the protocol committee goes out for thirty or forty-five minutes and brings back part of the papers; the protocol committee ought to be given any suggestions which any delegation has, and let the protocol committee bring the protocol so that it can all be considered at one time. For the meeting to adjourn for thirty minutes, waiting for the committee to get the documents, is not going to help us to get through with our business.

BEVIN: I suggest the protocol committee meet at 9:30. We meet at 11:00. The first item to decide will be, then, whether we would

revoke the invitation to our colleagues. That will then settle—(inaudible). Shall we adjourn?

MOLOTOV: I can't associate myself with the proposal made by the Chairman because this proposal will result in a breach of the decision.

BEVIN: But I only submit that that decision is still on the books. And can we revoke it? Which means we say to our friends: the invitation we extended to you, that you can't vote, is still standing and until it is revoked we can't—that must be decided first.

BYRNES: Mr. Chairman, I think it would be just as well for us to discuss it now and settle it, because it would determine other questions. It is necessary that the protocol committee should have information as to the views of the Council, if it is to do its work. There isn't any question that the Council has a right to extend an invitation under the Berlin decision. The language is: "The members will be invited to participate in matters directly concerning them, or under discussion". We all agreed that four would invite the representatives of the Chinese Government to participate. The Italian treaty, I mean. The question now is whether we shall withdraw that invitation if one—that can be decided very quickly, and we should decide. Speaking for the U.S. delegation, I do not want to withdraw the invitation.

MOLOTOV: The Soviet delegation cannot participate in the discussion of this question. It is now about three o'clock. We shall recess, then, until the hour of our meeting tomorrow?

BEVIN: Well, if one delegate says he is not in position to discuss it. I cannot force it.

MOLOTOV: The Soviet delegation asks that this question be postponed.

MR. BYRNES: Mr. Chairman, I have no objection to postponing it, but I have it understood that we are going to take it up tomorrow morning as the first order of business and dispose of it one way or the other. I would suggest that we meet at eleven o'clock, and that the pending business shall then be continued. All right. Agreed.

BEVIN: Well, then, the protocol committee will meet in the morning. The deputies' committee still have some things outstanding, but the first order of business tomorrow is the settlement of this problem.

MOLOTOV: I cannot accept this interpretation. I suggest that we discuss this question later also tomorrow.

BEVIN: What question?

MOLOTOV: We shall discuss the question tomorrow of the protocol—of the protocol committee—and in what business we have to engage.

BEVIN: But let me be clear. As I understand it, we adjourn the question of whether the invitation to our friends will be withdrawn, that we made September 11. Therefore, we take up the question on

the same issue as we leave it tonight. 11:30—11:00 o'clock in the morning.

BYRNES: Is that agreed?

(Agreed, and recessed at 2:55 a. m. until tomorrow.)

740.00119 Council/9-1145

*United States Delegation Minutes of the Thirty-Second Meeting of the Council of Foreign Ministers, London, October 2, 1945, 11:10 a. m.*⁶⁰

Mr. Molotov in the Chair

MOLOTOV: May we begin? No definite procedure was decided yesterday for our discussions today, and I want to make a suggestion. I suggest that four protocols should be drawn up, over the respective signatures of five, four, three, and two, and the protocols should embody only the agreed decisions.

BYRNES: Mr. Chairman, you mean all the agreed decisions?

MOLOTOV: Only those that have been agreed upon among us. And I want to make a reservation, in order to make myself clear. The Soviet delegation will agree only to those agreed decisions which are in accord with the Berlin decision. It means that there should be no decisions, seeing that some participate with decisive vote and others participated, and others had no right to vote; and as there is no such stipulation in the Berlin decision, we cannot agree to any decisions of that sort. I have finished. Any observations?

BYRNES: Mr. Chairman, I agree to the first part of Mr. Molotov's statement that there be four protocols, and that the protocols should embody the agreed decisions. We may as well be frank about it, and come down for the discussion of the question. According to the minutes we agreed to last Saturday, and according to the knowledge of everyone at the table, on September 11 there was an agreed decision. I want to know whether Mr. Molotov means that that shall not be included in the protocol?

MOLOTOV: We can't agree to its being included. We disagree with it, and no one can force us to agree. We can't violate the Berlin decision.

BYRNES: Mr. Chairman, certainly no one can force anyone at this table to agree to a decision, and the sooner we all realize that, the

⁶⁰ There is no Record of Decisions for this meeting. According to the British record of this meeting, not printed, the participants in the meeting were as follows: United Kingdom—Bevin, Campbell, Clark Kerr and Duff Cooper; United States—Byrnes, Dunn, Cohen, Dulles, and Bohlen; Soviet Union—Molotov, Gusev, Novikov, Golunski, and Pavlov; France—Bidault, Couve de Murville, Alphand, and Fouques Duparc; China—Wang Shih-Chieh, Wellington Koo, Victor Hoo, Hollington Tong, and Yang Yun Chu.

better. No one can force you to agree. And no one can force the United States to agree.

In good humor, let us look at what occurred. On September 11, four of the members of the Council, pursuant to the Berlin agreement, invited China to participate in the meetings when the Italian treaty was under discussion. China did participate, and the agreed minutes⁶¹ will show that Dr. Wang was Chairman of the meeting and extended the invitation to Yugoslavia and other countries—Italy and other countries, to send its representative there, to be heard on the Italian treaty. Therefore, the representatives of many countries know that in the deliberations of this Council the representative of China was participating and was acting as Chairman during the consideration of the Italian treaty. That was the solemn agreement. That did not have to be signed.

When we at this table on the negotiations with each other agreed, certainly those agreements stand with all of our Governments behind them, and it is not necessary to have a signature. That invitation was extended under the language of the Berlin agreement, reading that “other members should be invited to participate when matters directly concerning them are under discussion”. The Berlin agreement further said: “The Council may adapt its procedure to the particular problems under consideration”. Now the proposal is made, two weeks after the invitation was extended, accepted and signed—the proposal is made to withdraw the invitation.

I ask my friend to consider for a moment the embarrassing position we would be in. We issued a communiqué, by agreement of the Soviet representatives as well as all the other representatives back on the—what date?—on September 14.⁶² That communiqué told the world this—now I read from the communiqué: “The Council began its discussion of terms for a peace settlement with Italy. It was agreed that all the United Nations at war with Italy would be invited to submit, if they wished, their views in writing on this subject. It was also decided that the President of the session, Dr. Wang, should extend on behalf of the Council, invitations to Yugoslavia, Italy, Australia, Canada, India, New Zealand and South Africa, each to nominate a representative, if they so desired, to attend the meeting of Foreign Ministers to be held on Monday, September—etc., etc.,—frontier.”

Now what we are asked to do is to tell the world that that was not true, when in fact it *was* true. Of course, we can't do that.

Then the other proposal is, when it is referred to by this—Mr. Molotov properly—as an invitation, and yesterday he suggested that

⁶¹ Apparently reference is to the record of the third meeting of the Council, September 14, 11 a. m., p. 158.

⁶² For text of the communiqué released to the press by the Council of Foreign Ministers on September 14, see Department of State *Bulletin*, October 14, 1945, p. 564.

at the head of each chapter referring to peace treaties there should be a notation that, in his language, we four invited the Chinese representative to take part and the Chinese representative did not participate in the decision, he was only invited to be present. Mr. Molotov further suggested that the protocols for the Balkan states should go as follows: Great Britain, America and the Soviet Union invite to be present in the discussion of the agenda with French and Chinese representatives. It would follow from this that they will only be present at the discussion of the Balkan questions, whereas the questions are to be settled by the host who had invited them.

Now that language shows that Mr. Molotov agreed that they were invited and they had the right to invite them, under the language of the Berlin agreement, because he wouldn't have suggested putting into the record that they had been invited if under the Berlin agreement no such invitation could be extended. Now Mr. Molotov has stated to me that when he suggested that, he intended that it should be done, provided there should be a note—this September 11 agreement should be excluded from the record, or some proper notation be shown, that it was revoked. That does not affect in the slightest his belief, and my belief, that under the Berlin agreement we have the right to extend the invitation which we did extend. For these reasons, the United States have joined with the other Governments, the Soviet Union and Great Britain and France in extending the invitation. The invitation having been acted on, the world having been advised of it, now when Mr. Molotov proposes to withdraw it, I cannot agree to withdraw that invitation.

Molotov: I must add that the interpretation placed by Mr. Byrnes upon the point of view of the Soviet delegation does not correspond to its point of view. Mr. Byrnes has made a statement that it is impossible to revoke the decision, but I have before me the proposal made by Mr. Byrnes revoking these very decisions, on condition that the proposal for the convocation of the Conference is accepted.⁶³ You seem to have forgotten about the fact that you proposed to revoke the decisions. I see that Mr. Byrnes does not value very highly this proposal, but he seems to wish to obtain something for its being—as a result of its being revoked. Of course, it is a business-like approach. (Laughter)

For the good payment, Mr. Byrnes agrees to revoke—renounce this decision, and forget about China. I stand at the question [*sic*] of the conference in these important questions, and the suggestion is correct in principle in my opinion; but I am unable to act upon it until I have reported it to my Government in person. This is the suggestion that I want to make.

⁶³ Apparently reference is to the proposal by the United States delegation. C.F.M. (45) 84, September 30, p. 475.

BYRNES: Mr. Chairman, then I have an addition to make, and the addition is this, that when my good friend, the Soviet representative, took this position which has occupied most of our time for the last ten days, in the hope of arriving at a compromise proposal I told him I was willing to agree to that proposal that he has in his hand, and from which he read, provided that it would be only a part of the proposal and the second paragraph would provide for a conference. But my friend knew the difference is that the proposal I was making was one for discussion and adoption by all members of this Council, and before it was proposed it was shown to the representative from China and the representative from France. It is an entirely different thing, asking the Council to agree on something and one man coming in and saying to the Council, "I want this resolution revoked. I want the invitation withdrawn, and therefore it must be withdrawn without agreement on the part of anybody but me."

Now, one thing more. My friend refers to the fact that the conference proposal, which I offered, he agrees to in principle. There has not been a time in ten days that we could not have reached an agreement, if he had agreed to accept the proposal which he says he is in accord with in principle. France and China were prepared to make sacrifices of their views. Great Britain was willing to go along. And if my friend now, having had a week to think about it, can agree to that conference proposal, then we, in the spirit of concession, agree to the proposal that he made, and this Conference can end in some harmony and some hope for the future. I wonder if there is any chance of my friend being able to reach that—make that concession if the rest of us make a concession to his proposal on the first paragraph?

MOLOTOV: I see that you now, Mr. Byrnes, are ready to revoke this decision: but he wishes to obtain something in return. Now if I were willing to accept that—to agree—if I was—I would be willing to agree—if I was entitled to decide upon this question without my personally reporting first to my Government. (*sic*)⁶⁴

BYRNES: Mr. Chairman, but that is true. I am willing to state—to agree to the language proposed by the Soviet representative as to the September 11, provided at the same time we say to the world that France and China and Yugoslavia and Bulgaria and every other nation that was at war could be invited. My friend understands the proposal, and in good humor I am now talking to him to see if he can reach a concession. If we can't agree on that, then we may as well realize that we are not going to agree to withdraw the invitation or to narrow the participation of France and China without assuring them, at the same time, that they will come in before there is a peace treaty

⁶⁴ "*sic*" appears in the source text.

signed, in full participation or equality with all the rest of us. I think, then, we may as well agree that until there is an agreement that a conference will be called to which these Governments will be invited, there can be no agreement to change the September 11 invitation to France and China.

MOLOTOV: I am in position to state in advance that the Soviet Government will not agree to the convocation of this conference, if the Berlin decision is violated. We are drafting now our protocols and we fail to finishing the drafting (*sic*), but until there are protocols signed, there are no decisions. It is impossible to prepare a draft protocol with [*without*] a decision. As long as the decisions have not been signed, they do not exist as decisions. The Berlin decisions, they are signed and they therefore constitute real decisions. What we are discussing now are only—is only a draft of decisions. To everybody here it should be perfectly clear that the only decisions which we can adopt are the decisions agreed to by five—by all of us. And unless a decision is agreed to by all of us, we cannot record it in the protocol and it can remain only as a draft decision, and as such let it remain there.

BYRNES: Mr. Chairman, I want earnestly to ask my friend not to insist on that position, for this reason. If we say that there is no decision until it is signed, we put ourselves in a very embarrassing position before the world. During this Conference we decided to authorize the Chairman to send out invitations to all the United Nations inviting them to file statements of their views.⁶⁵ It happened that on that day the representative of France was the Chairman. Now, in response to that invitation which was sent as the result of the decision here, the governments of the world have already answered.⁶⁶ I have here copies of five or six answers from governments, replying to an invitation sent out as a result of our decision. Now, I only submit that we can't well tell the governments that that letter should not have been sent out because there was no decision, inasmuch as there was no signature, and ask them to withdraw their answers.

MOLOTOV: I have not raised and I am not raising this question.

BEVIN: May I interrupt to ask a question? (Laughter) Do I understand that any decision not included in the protocol means a draft decision?

MOLOTOV: What we have signed we will constitute a decision, and the rest will remain drafts.

BEVIN: We simply leave it as a draft?

⁶⁵ The Council of Foreign Ministers at its fifth meeting, September 15, 1945, decided to invite various of the United Nations Governments to present their views in writing regarding the Italian Peace Treaty; see the record of the fifth meeting, p. 186.

⁶⁶ For a list of countries which submitted their views regarding the preparation of the Italian Peace Treaty, see footnote 20, p. 187.

MOLOTOV: I think everyone will guess right as to the interpretation being laid upon such a situation. Any more observations?

BIDAULT: The position of the French delegation is very simple. I have stated it already several times, and it hasn't changed. We adhere to the agreement reached on the 11th of September, which has applied for a certain number of days, and if any new proposals have been made, the French delegation has never expressed any approval of them. The French delegation has stated here that it would view favorably the idea of inviting the United Nations to participate in the discussions of the peace treaties. It is in this spirit that I associate myself with what Mr. Byrnes said, concerning the maintenance of the invitation extended to China to participate in the discussion.

MOLOTOV: Anyone wishes to comment?

BYRNES: I have no comment to make. Mr. Chairman, has the protocol committee reported?

MOLOTOV: Last night we began the discussion of the protocols, embodying general decisions. Perhaps we may entertain that now?

BYRNES: I thought that is what we were going to do?

MOLOTOV: I suggest that we finish this job and sign at least the general protocol, to begin with.

BYRNES: Mr. Chairman, what would be done with the other protocols then?

MOLOTOV: And then let us pass on to the other protocols? In accordance with the proper procedure, as laid down—

BYRNES: (interposing) Mr. Chairman, I really don't think there is anything in the Berlin decision to cover the protocol business. The only thing the Berlin decision says is this: It says "Its immediate, important task shall be"—"The Council shall be authorized to draw up, with the view to the submission to the United Nations, a treaty of peace." We must stick to the Berlin treaty. And it says that the immediate task is to take up the treaty of peace. The Berlin agreement did not say plural *task*, it said "its immediate, important *task*"—*one* task—to take up the treaty first.

Mr. Chairman, I understand the protocol committee has completed the consideration of the other parts of the protocol and if they have, it would be good to ask if they would submit it so the delegates could see it.

MOLOTOV: I have no objection to hearing the report of the protocol commission, but the Berlin decision stipulates that the question of the treaties of the peace should be settled by certain countries, and I suggest therefore that the report of the protocol committee should be heard by the representatives of these certain countries, and that the time of our other colleagues should not be taken up by the job we have got to do. We countries who are signatories to the terms of the armistice should not violate the Berlin decision.

BYRNES: Mr. Chairman, I am going to make a new proposal,⁶⁷ to see if we can make any progress. Why can't we agree to have this protocol state the actual facts as they occurred? Let the September 11 paragraph remain. On September 22 set out your statements in full, that you believe it was in violation of the Berlin agreement, therefore you object to the participation of the governments which in your opinion were not entitled to participate. Then, at the head of each one of the four protocols, have the notation that my friend suggested yesterday afternoon, as to who participated in response to the invitation, and it is not necessary for us to discuss these treaties. Let us sign those papers, when they come back here, without any discussion, and leave open, then, for decision hereafter, the question contained in the proposal submitted by Mr. Molotov with my amendment as to what shall be the future participation. Then in the protocols, four of them, there will be no one country to show participation in violation of what Mr. Molotov believes to be the right procedure.

And then, as to the future procedure, my friend says that as to the conference he wishes to personally consult his Government, and whenever he has had time to do that he can agree, or agree with the amendments. Then his proposal, with my proposal calling for the conference, would become the governing procedure for the future. In the meantime, the deputies could attend to such matters referred to them as are of a general character and do not involve consideration of peace treaties, and await advices as to our ability to agree on the two proposals to which I have referred. If we were unable to agree, then some other procedure will have to be found for making the peace. If we did agree, the deputies could go to work in accordance with the new procedure that is arrived at. That would involve no violation of the Berlin agreement but it would demand sacrifices by all.

I do not know what view would be taken of it by the representative of China and the representative of France. I would hope that they could find it possible to go along with us, once there was an assurance of a conference at which France along with other governments would participate on terms of equality—France and China.

MOLOTOV: I suggest that we follow the tested method of drawing our protocols in Berlin, Crimea and Moscow, and at our Conference. That is the way protocols should be drawn up, embodying all the agreed decisions. I made that suggestion at the very beginning of the meeting this morning, and I regard this as the tested method of adopting decisions by our heads of Government made by the Ministers of Affairs. The only difference would be that not one but four agreed protocols would be drawn up.

⁶⁷ The Secretary's proposal was subsequently circulated to the Council as a memorandum by the United States delegation, C.F.M.(45) 92, October 2, p. 556.

I shall cite an example from the experience at the Berlin Conference, and many similar examples can be given. It was at the meeting of the Berlin Conference that the Soviet draft regarding the Ruhr area⁶⁸ was under discussion, and the decision was adopted to refer that draft to the Council of Foreign Ministers. At the last meeting of the Council, Mr. Byrnes proposed that the draft should not be referred to the Council of Foreign Ministers, and the Soviet delegation agreed to this and the draft was excluded from the protocol.⁶⁹ I suggest that we follow these wide practices, and that we record in the protocols only what has been agreed upon among us; and that we have four protocols embodying what has been agreed upon among the five, then among four, three and two. This procedure was, up to now, followed by the preceding conferences, and I think that these practices should be kept in this Conference as well.

BYRNES: Mr. Chairman, I think we can agree on what happens under those circumstances. At Berlin, when we were working on the protocol, not once but three or four times a proposal was made that we agree not to publish a thing in the protocol. I remember Marshal Stalin proposing, near the end of consideration of the protocol, that we leave out this sentence, and we agreed. Therefore, it was proper to leave it out by general agreement. But this is a different proposal that you have here. You want to leave something out without any agreement.

Now at Yalta, my recollection is that an entirely different situation existed, and in the discussion of reparations the other participants insisted upon certain language and the British delegation objected to the language, and Mr. Churchill said that he would have entered in the protocol his reservations. When the Soviet delegation made the proposal and wanted the statement in the protocols, the U.S. delegation was willing to go along with them. Therefore, it was set up as number—paragraph four. After setting it up, then we had his statement. The British delegation was of the opinion that pending consideration of the reparation question by the Moscow Reparations Commission, no figures of reparation should be mentioned, and the Soviet delegation and the U.S. delegation insisted on the paragraph going in. The British reserved their position.⁷⁰ And that's all that

⁶⁸ For text of the Soviet proposal made at the Berlin Conference on the subject of the Ruhr industrial district, see *Conference of Berlin (Potsdam)*, vol. II, p. 1000.

⁶⁹ For the Department of State minutes of the 11th and final meeting of the Foreign Ministers at the Berlin Conference, August 1, 1945, see *ibid.*, p. 543.

⁷⁰ For the Protocol on the talks between the United States, United Kingdom, and Soviet Governments at the Crimea Conference on the question of German reparations, see *Foreign Relations, The Conferences at Malta and Yalta, 1945*, pp. 978-979 and 982-983. For Prime Minister Churchill's statement of reservation regarding the inclusion of specific figures for reparations, see the records of the Seventh Plenary Meeting of the Crimea Conference, February 10, 1945, *ibid.*, pp. 901-903, 909, and 914-916.

should be done here, following the wise rule that you suggested of the past.

I submit to my good friend that it would be good to follow this procedure, because it would give to him the same reservation that the British reserved for themselves at Yalta. My friend will remember that at Potsdam the Prime Minister then representing Great Britain referred to this and argued his position, so that in the future you could refer to the protocol similarly signed, and argue openly.

MOLOTOV: I feel that the example cited by Mr. Byrnes does not suit. Everyone of us has the right to make a reservation, and that cannot be challenged. But the question is whether we are entitled to make any reservations or decisions which will run counter to the decisions adopted by the three Heads of Government. I feel that we are not entitled to make any reservations or decisions which will conflict with decisions adopted by the Heads of Government.

The reservation made by Mr. Churchill at the Crimea Conference did not meet with any objection, as it did not conflict with any agreements that were being discussed. But a different thing is being suggested here. The proposal is to record in the protocol what will conflict with the decision of the Berlin Conference. We cannot do it. We have no right to do it. Therefore, I suggest that we record only such agreements as have been agreed upon by us, and as do not conflict, therefore, with the Berlin decision. Otherwise we cannot, and decisions which have been agreed upon here by us will only be the decisions that are in accord with the Berlin decision.

BYRNES: Mr. Chairman, everybody agrees with that, and everybody says it is not in violation of the treaty. There is only one that says it is in violation of the agreement.

MOLOTOV: Up to now there have been no decisions recorded at any of the conferences, which met without objection on the part of any one of us.

BYRNES: There were two of the Governments that adopted the Berlin agreement saying that it is not a violation of the Berlin agreement, and the record shows here that in the former case, when the Heads of Government were involved, when one Government did not agree with the decision, they stated their reservations, and would amply protect the view that my friend has about this matter.

MOLOTOV: I find it necessary to remind Mr. Byrnes of what he said a few days ago. In the presence of Mr. Bevin, Mr. Byrnes said that the interpretation placed by the Soviet delegation upon the Berlin decision was a correct one, but that in addition there were certain views—in the course of the conference there were expressed certain views on which a wider interpretation could be placed; but he stated quite definitely that the interpretation of the Soviet delegation was correct, and Mr. Bevin disagreed with him.

BYRNES: Mr. Chairman, my friend is mistaken. I think that when we call his attention to it, he will agree. I stated that under the interpretation of that language that my friend was right to this extent, that France and China did not have the automatic right to participate when they were not signatories, without any invitation, but I called attention then, and have day after day until I am really tired of saying it, that the very next sentence in that paragraph said that other governments could be invited, and that on September 11 we had invited them, and yesterday afternoon my friend was agreed that they had been invited and was willing to have that statement made at the top of the treaty. May I add one thing more, in the hope that my friend could make the reservation, if he wished to do so, in accordance with the precedent established by Mr. Churchill.

MOLOTOV: No one has such a right as to be able to agree to a reservation conflicting with the decisions of the Heads of Government, and no one of us is authorized to do that.

BYRNES: I doubt that it will be quite persuasive, but I did want to suggest that my friend could ask to have inserted in the protocol a statement of what occurred—which I would call substantially this: on September 22 the Soviet delegation stated that it withdrew its assent to the decision of September 11, and further stated that in its opinion the decision of September 11 violates the Berlin agreement and does not bind the Soviet delegation or the Council. Thereafter, there was no further discussion by the Council on the terms of a peace treaty during the period covered by this protocol.

MOLOTOV: I want to make another suggestion. The suggestion is that at this meeting only one decision should be adopted. The representatives of the U.S.A., Great Britain, U.S.S.R., France and China on the protocol committee should be instructed to draw up a protocol embodying the agreed decisions of the five Ministers.⁷¹ Any observation?

BEVIN: Is that the whole proposal?

MOLOTOV: That is the whole proposal—for this meeting.

BEVIN: As a preliminary suggestion, in order to try and help the settlement of this thing, there have been so many suggestions made, I wonder whether we could take the four protocols which have been drawn up strictly on the basis of the Berlin protocol, and divide it into four parts, and draft the protocol on that basis and add a general paragraph setting forth what is the dispute on procedure, and indicating whether there are any questions left unsettled on the basis to be discussed between the Heads of Governments. This is a way, I think, for the Heads of Governments to settle it. The difference

⁷¹ Molotov's proposal was later circulated to the Council as C.F.M.(45) 88, October 2, p. 555.

in the two texts is that it is set up under the heads of the subjects, and the other one, which the difficulty is about, is drawn up on the question of the Soviet delegation, I think in chronological order. If we were agreed that this text difficulty could be referred to the Heads of Governments, I think that might be a great help to Mr. Byrnes' suggestion, and all the other proposals could be considered. If we adopted Mr. Molotov's proposals, we are in practically the same position that the protocol committee recommended. I make this suggestion purely tentative and preliminary.

MOLOTOV: Anyone wishes to comment? No other observations? So we have three proposals before us. The Soviet delegation is willing to agree on one condition: namely, that we do not violate the Berlin agreement.

BYRNES: The U.S. delegation will agree on one condition, that we do not violate the Berlin agreement.

MOLOTOV: Very happy to hear. (laughter)

BEVIN: The British delegation would like to know what is the correct interpretation of the Berlin agreement? (more laughter)

BIDAULT: The French delegation actually have no views to express concerning the meaning and interpretation of the Berlin declaration; but, of course, it abstained from any comment on the statement which has been made here.

WANG: The Chinese delegation—(inaudible)—therefore he thinks that—(inaudible)—in this matter of procedure—(inaudible)—we shall have no objection—(inaudible).

BYRNES: Mr. Chairman, may I ask a question—

MOLOTOV (interposing): Who among us here has the decisive vote on the question of the Berlin conference?

BYRNES: Mr. Chairman, we are all equal.

MOLOTOV: It is news to me. Mr. Bidault has insistently been pointing out that he does not regard the decision of the Berlin conference as a decision. He was right.

BYRNES: I think I have heard him say something to that effect. (laughter) I meant those who signed the Berlin decision were equal.

I have no other suggestions to make. I would like to ask my friend if he would give us any idea how long it will take him to discuss with his Government the questions of accepting the proposals that I made as to the conference.

MOLOTOV: I think this question should be the subject of discussion at a special meeting of the Big Three.

BYRNES: Wouldn't my friend agree that even under his interpretation of the Berlin agreement, in convoking a conference some others should be permitted to participate?

MOLOTOV: I can say only one thing now, that we have participated in such meetings as will be in conformity with the Berlin decision and will not violate the Berlin decision. Any other observations?

BYRNES: No.

MOLOTOV: I suggest that we have the meeting adjourn to the next time. (laughter)

BYRNES: What time?

MOLOTOV: I leave that to the decision of the Chairman.

BYRNES: Mr. Chairman, we can have some lunch here. If they are going to continue this day after day, we might provide for getting lunch.

Two o'clock?

MOLOTOV: No objections to continue our meeting until two o'clock.

BIDAULT: I have, naturally, no objections to meeting my colleagues. Yet, plain, may I ask what is going to be the agenda?

MOLOTOV: My suggestion is that we should continue discussion of the protocol affecting the five Ministers.

BIDAULT: In this case, might I suggest that it would be useful that the various suggestions on the table should be circulated in writing?

MOLOTOV: I have listened to them, and I remember them very well.

BYRNES: I think I do.

BIDAULT: My memory is less good than yours, and I remember well the custom is that written texts should be produced, and I think in the memories of each delegation.

MOLOTOV: Of course, it is a rightful suggestion and we are obliged to comply with it, and I shall submit my proposal in writing and ask from Mr. Bevin and Mr. Byrnes whether they will be disposed to do likewise?

BIDAULT: Thank you.

MOLOTOV: It is simply my duty. There is nothing to thank for me about it.

BEVIN: I didn't make a proposal. I made preliminary remarks which I thought might provoke comment of what is needed.

BYRNES: I made two or three, but I will try and decide which one of the three is the best.⁷² (laughter)

BIDAULT: I only ask for the right one which you are maintaining.

MOLOTOV: On the part of the Soviet delegation, we will transmit our proposal, which seems to be a good one.⁷³

(Meeting adjourned until three o'clock)

⁷² See memorandum by the United States delegation, C.F.M. (45) 92, October 2, p. 556.

⁷³ The Soviet proposal was circulated to the Council as C.F.M. (45) 88, October 2, p. 555.

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*United States Delegation Minutes of the Thirty-Third Meeting of the Council of Foreign Ministers, London, October 2, 1945, 3:10 p. m.*⁷⁴

Mr. Wang in the Chair

WANG: The meeting opens. We have the Soviet proposals and those of the American delegation, and my colleagues probably have these before them.

BYRNES: Mr. Chairman, I have nothing to add to what I said this morning.

BIDAULT: I only find, Mr. Chairman, that I understand there are three proposals, and I have nothing to add to what I stated this morning.

MOLOTOV: I have not yet received the Russian translation of the United States' suggestion.⁷⁵ Neither have I received any text of the British proposal.

BEVIN: I said before lunch that I made my suggestion as a preliminary suggestion, and as it doesn't appear to have been accepted, I wouldn't circulate it; so I didn't circulate it.

WANG: The American proposal is not new. On Sunday night—(inaudible)—on my motion that it come to agree to postpone another day so as to see whether we can find a way out of this deadlock. Suggestions have been made now by all sides. There is still no agreement. If my judgment is not wrong—in spite of the fact that arguments have been made on all sides there is little possibility of agreement between us. It is certainly to my regret, and I am sure to the regret of us all. Now, I don't know whether it will be useful to continue meeting and to talk. I am doubtful whether it is useful to further continue these meetings, but my observations might be all wrong. Therefore, I am permitting myself to ask all my friends here—Mr. Molotov, Mr. Bevin, Mr. Bidault and Mr. Byrnes—whether you consider it useful to continue these meetings, or had we better close this meeting?

MOLOTOV: The Soviet delegation considers it would be useful to continue the meeting and requests in particular that you should get acquainted with the proposal of the Soviet delegation and discuss it.

⁷⁴ There is no Agreed Record of Decisions for this meeting. According to the British record of the meeting, not printed, the participants were as follows: United Kingdom—Bevin, Campbell, Clark Kerr, and Duff Cooper; United States—Byrnes, Dunn, Cohen, Dulles, and Bohlen; Soviet Union—Molotov, Gusev, Novikov, Golunski, and Pavlov; France—Bidault, Couve de Murville, Fouques Duparc, and Alphand; China—Wang Shih-Chieh, Wellington Koo, Victor Hoo, Hollington Tong, and Yang Yun Chu.

⁷⁵ Memorandum by the United States delegation, C.F.M.(45) 92, October 2, p. 556.

The American proposal is being translated into Russian and as soon as the translation is ready the Soviet delegation will be able to express their views on the American proposal as well.

WANG: Any other suggestions?

BEVIN: As far as I am concerned, Mr. Chairman, I can continue these meetings as long as the other delegates wish to continue.

BIDAULT: Mr. Chairman, though the French delegation is right-fully desirous to deal with the problems which arise in our country, the French delegation is determined to remain in contact with the other delegations, as long as the latter are willing to remain. The problem now is the problem of the chances of getting any results. So far as I am concerned, for a long time we have been discussing the problem of protocol which we never discussed at home in our respective capitals, and only discussed them here together. Now I think that the situation has been clearer, and I do hope that we shall be able to conclude today.

I have just received the French text of the American proposal. I have no objection to taking some time to examine it and take a definite position. The French delegation hopes that there will be an agreement, and it will be sorry if such an agreement were not possible; but the French delegation must also state that their former declarations are final.

BYRNES: Mr. Chairman, I have the copy of the proposal circulated by the Soviet delegation,⁷⁶ which is the same proposal that has been discussed for the last several days. I have on numerous occasions trespassed on the time of the Council to express my views on that proposal, and stated why I could not agree to it. There is no reason for me to add any additional statements at this time. This morning I did offer a new proposal, which I discussed at some length. It has been circulated, and I hope you have read it, and would be happy to discuss that proposal. Having discussed it for more than an hour ago [*sic*], I really should not add anything to my statement, so I will be delighted to answer any questions that may be asked.

MOLOTOV: Mr. Chairman, I want to correct a mistake that has slipped into the English text of the Soviet proposal circulated today. The whole document coincides with the Russian text, with the exception of a few words which are not contained in the Russian text. The heading of the English version of the Soviet proposals contains the words "preparation of peace treaties". These words are not contained in the original Russian version, and probably the mistake has slipped in during the printing; and I therefore ask that these words be deleted.

⁷⁶ Resolution proposed by the Soviet delegation, C.F.M.(45) 88, October 2, *infra*.

I must add that I have now received the text of the American proposal, in Russian. Before we pass on to the American proposal, I must say a few words regarding the Russian. The words that had been added by mistake to the heading of the Soviet proposal conflict with the very sense of the Soviet proposal, which is that the five Ministers should not consider these treaties, which is the view of the Soviet delegation which bases itself on the Berlin decision.

As to the American proposal, I must state that the Soviet delegation finds that this proposal is in contradiction with the Berlin decision. Under the Berlin decision the peace treaties would be prepared by the Governments who were signatories to the terms, and inasmuch as the American proposal does not reckon with the Berlin decision the Soviet delegation considers it to be unacceptable.

WANG: I was glad of the statement that my observation was all wrong, and that it will be considered by my colleagues as useful to continue the discussion.

MOLOTOV: I have a suggestion. I suggest that we hear the protocol commission on the question which we are deciding by all five Ministers. The protocol has been prepared. We may well hear them, and decide.

BEVIN: Mr. Chairman, I thought we went through that last night; and the protocol committee called our attention to the paragraph that was to be deleted, and the decision [*discussion?*] was as to whether the paragraph should be delivered [*deleted?*]. That is the same protocol as everybody agreed to last Saturday.⁷⁷

MOLOTOV: My proposal is that we leave in these protocols and state only the agreed decisions, just as it was done at the Berlin and Crimea conferences. I don't remember a single decision adopted at any of the conferences which was not agreed to by all the members of the conference. It may be some one will call one of these—such decisions—to my mind.

BIDAULT: Mr. Chairman, as I have already stated, I have accepted and I do accept that there should be different protocols for different cases. I have already also stated that I could not discuss any one plan of protocol unless I had my hands on all the plans. Therefore, I repeat my proposal that it should be considered by the protocol committee, yourself, and all the five delegation members. I must apologize for always saying the same thing, but I say the same thing because it is always the same thing.

MOLOTOV: I must say that the French delegation did not participate in the settlements of other questions. The French delegation were only present, but they did not participate in the settlements.

⁷⁷ At the 27th and 28th meetings of the Council of Foreign Ministers on September 29, the Council discussed the memorandum by the Joint Secretariat, C.F.M. (45) 66, September 29, "Decisions of First Plenary Conference", p. 456.

BIDAULT: For my part I am not going back to what I have already stated on the 11th of September, namely that we accepted to discuss and we accepted not to sign. If this is what Mr. Molotov means, I entirely agree with him.

MOLOTOV: But under the decision of September 11th decisions on the treaties of peace are to be accepted by certain representatives and not by all.

BIDAULT: I do not think that in what Mr. Molotov has just said, except perhaps a few amendments in wording, there is anything in contradiction with what I have already accepted.

WANG: What are we going to do?

(pause here)

MOLOTOV: It seems Mr. Byrnes will be in the chair at the next meeting.

BYRNES: Mr. Chairman, what has that got to do with it?

WANG: I am ready to turn over this awkward job to anyone. (laughter)

MOLOTOV: The Soviet delegation are ready to assist in the settlement of the question both of the President, the Chairman, Mr. Wang, as well as at the next meeting.

WANG: What is the general feeling? Shall we have a short recess and see whether we might find some other way to alleviate things, and if we cannot do it, then I shall suggest to my colleagues that we adjourn.

BYRNES: Mr. Chairman, I think we should all agree that we are not making any progress here.

Mr. Chairman, I ask if the various members thought there was any use of continuing the meetings, and the Chairman asks if there is any work that is here that we should do it, and if there isn't any work to do, we should find out right now. I have no objection to the motion the Chairman makes to take a thirty minute recess. It is just as comfortable in our rooms as it is here. That will be 4:30?

BIDAULT: We will come back, anyway. (laughter)

(Recessed at 4:00 p. m.)

(At 5:05 p. m.—Mr. Wang still Chairman)

MOLOTOV: The Soviet delegation apologizes for having delayed the meeting. The Soviet delegation have been seeking some form of a conciliatory and friendly way out for the Council of Ministers, and as a result of this the Soviet delegation have formulated the following: The Soviet delegation as well as the other delegations are anxious to see the results achieved and the course of our work crowned respecting relative decisions.

Now I shall read out the draft of the resolution of the Council of Ministers proposed by the Soviet delegation: Our proposal consists

of two paragraphs containing certain sub-paragraphs [in?] paragraph one. Now I shall read the proposal.⁷⁸

The Soviet delegation propose that on October 2 the protocols of all the decisions adopted at the Council of Foreign Ministers should be signed, and namely

Sub-paragraph A: The Ministers of the U.S.A., Great Britain, the U.S.S.R., France and China will sign the protocol embodying the decisions of the Council of Ministers adopted by the five Ministers.

B: The Ministers of the U.S.A., Great Britain, the U.S.S.R. and France will sign the protocol embodying the decisions of the Council regarding the peace treaty with Italy.

C: The Ministers of the U.S.A., Great Britain and the U.S.S.R. will sign the protocol embodying the decision of the Council of Ministers regarding the peace treaty with Rumania, Bulgaria and Hungary.

D: The Ministers of Great Britain and the U.S.S.R. will sign the protocol embodying the decisions of the Ministers regarding the peace treaty with Finland.

Second: The questions outstanding on October 2 in the Council of Ministers will be referred to the Council of Ministers, to be considered on October 3.

The Soviet delegation asks for this new conciliatory proposal all there is to be studied, and for their part they will study attentively any proposals that they may receive from other delegations.

I have finished.

BYRNES: Mr. Chairman, may I ask a question? The first proposal—the first item in the proposal suggested by Mr. Molotov that we, the Ministers of the U.S., Great Britain and the U.S.S.R., France and China will sign the protocol embodying the decisions of the Council of Ministers adopted by the five Ministers—as I understand it, that is the same proposal we have had for three days. The protocol is here before the Council. The four members will agree to sign it without provision as to the action on September 11 extending the invitation. Are the Soviet representatives ready to sign that proposal? If so, I think we can all agree to sign it right now. If not, then we have stated for some days that we will be unable to agree to sign the protocol, if we eliminate that proposal on the protocol.

MOLOTOV: I want to reply to Mr. Byrnes. Such a proposal as the one the Soviet delegation is submitting now has not been so far made by anyone. The proposal consists of two paragraphs. The first paragraph refers to the questions which have been agreed upon by the Ministers, and the second paragraph refers to the questions which have not been agreed upon. And as regards the first paragraph, the proto-

⁷⁸ For text of the Soviet proposal as circulated in the Council, see C.F.M. (45) 91, October 2, p. 555.

cols should be signed on the questions agreed upon by the respective Ministers. As regards the questions referred to in paragraph two which remain in disagreement, we suggest that we continue to work on these questions, with the view to finding a compromise and a friendly agreement. That is the proposition.

I want to say further that we have before us a number of outstanding questions. The questions outstanding are first the question to which Mr. Byrnes has just referred; then the question of the convocation of the conference which also has been mentioned by Mr. Byrnes. And I think that we may continue to study these outstanding questions more closely, more fully, with a view to finding a compromise. We have been sitting for three weeks and have discussed many questions. We may spend another day. We may agree that we shall not sit after October 3. The job which has not yet been agreed upon among us should be accomplished by us tomorrow, and to the accomplishment of this job we should devote all our attention.

At the same time, it seems to me that not only the Soviet position but also other delegations are interested in relaxing the tension which has arisen, and in order to relax this tension, we might make ready those people who are looking to the Council of Foreign Ministers for an accomplished decision, by signing a number of agreed decisions today.

To sum up, the Soviet delegation proposes that we sign today the decisions which have been agreed upon among us, and that we tomorrow continue to work on the questions which still remain in disagreement. The Soviet delegation are ready to make all the efforts, in order to arrive at a friendly solution of the questions which still remain in disagreement, and the Soviet delegation does indeed hope that we will be able to achieve still better results, if we spend another day tomorrow in working on these outstanding questions. Finished.

BYRNES: Mr. Chairman, if I understand my friend, he is not prepared to discuss today the questions that are in dispute? There are two questions that he lists as being in dispute. We have discussed them for three, four, or five days now. I just wonder if there is any reason for hoping that there will be any change in view tomorrow? In discussing the conference proposals, my friend has said each day that he thought it was good in principle but he was not in position to agree to it until he had personally consulted his Government, and he said so this morning. Now, if he will tell us that he has discussed it with his Government and he is in position now to discuss it, I would like to have that information. I have discussed it with him privately, and at this table on numerous occasions, and would be glad to discuss it again, if he will tell me that the situation has changed and he is in position to agree to it; but, if after I explain it and discuss it with

him again for some hours and at the conclusion he tells me that in principle it is good but that he is not in position to act, it would serve no useful purpose.

The other question which my friend said he would discuss tomorrow is the question with reference to the September 11 agreement extending the invitation. As I understand the proposition, he asks just what has been asked for many days, that members sign the protocol in the form he suggests and then leave for discussion tomorrow the question as to whether or not there will be included in the protocol the agreement of September 11. After the protocols have been signed, then if there is no agreement tomorrow on the September 11, the Council could adjourn as he suggests and there would be nothing in the protocol about the September 11 agreement.

The same proposal was made some days ago and some members of the Council, or at least one member of the Council, stated he could not sign the first protocol leaving out the agreement which was entered into on September 11, unless he could, at the same time, see all the other protocols and make sure that it was going to be included in one of the other protocols. For that reason, Mr. Chairman, I don't think that there is anything new in the proposal and I see little hope for a compromise.

MOLOTOV: The Soviet delegation cannot impose upon other delegations its proposals. It is a matter for them to agree or to disagree with it—with this new proposal of the Soviet delegation. But for their part, the Soviet delegation have made another attempt in the direction of which seems to them most desirable for all our five States.

It is natural that I am not able to tell Mr. Byrnes in advance that I shall agree with him in every respect. Mr. Byrnes is anxious to know in advance whether I shall agree with him on all the questions regarding discussing them, and I find it difficult for me to reply as regards the question which we have under discussion; but the Soviet delegation expresses their good will to continue to work with a view to finding a compromise. The purpose of our proposal is to move forward and to create a friendly atmosphere for our work. If we today would create a more friendly atmosphere for our work, this will be a definite gain for our common cause, and this will make happy every one of us as well as many people far outside—in distant places outside this room, and this will give satisfaction to them, the fact that we have created a friendly atmosphere for our work.

If we sign today the four protocols, then it will make a favorable impression not only upon us but also upon all those who in our countries are looking to the Council of Ministers for decisions. If today we accomplish the first part of our work and create a more friendly and favorable atmosphere for our further work, we can have hope that

our work will be more successful on other questions which remain in dispute.

In any case, the Soviet delegation hopes that if we sign the protocol today, this will create more favorable conditions for all of us when we come to decide other questions tomorrow, and it seems to me that not only the Soviet delegation but all my colleagues are interested in this. I have finished.

BYRNES: Mr. Chairman, my good friend says that he finds it difficult to tell me what—whether or not he could agree about the question which has not yet been discussed. The question that he said that we have discussed tomorrow about which—convoking a conference—was submitted to my friend last week, and was discussed with him many times—and many times since. It was a document which was circulated in writing,⁷⁹ and which we have discussed time and again here at the table, and it was agreed to by every member of the Council except the representatives of the Soviet Union. That is why I don't think my friend is serious in his proposal, because only this morning he said at this table, in the hearing of everyone, that he thought he could agree with it in principle but he could not say anything about it because he first had to personally consult his Government about it. That was only two or three hours ago.

Now, if my friend is serious, I must believe that he has consulted his Government, and if he has consulted his Government and his Government has authorized him to act in the matter, then I suggest we discuss it right now; because if it could be decided, we could decide many other questions that have given us trouble.

Won't my friend tell me whether his Government has authorized him to act on it?

MOLOTOV: I can assure Mr. Byrnes that I receive daily messages from Moscow.

BYRNES: Well, Mr. Chairman, then may I ask my friend, who told me last week that he couldn't act on it solely because he hadn't taken it up with his Government, has he given the message to his Government and can he now tell us that he has authority to act on it? My friend has said that he agrees in principle, and if he now has authority to act, we can take it up and see if we can't agree on the details; and if we agree on the details, all the other questions can be agreed to, and it will do more to promote harmony here and give hope to the world than anything else he can do today.

MOLOTOV: I have given the answer to the question of Mr. Byrnes, and I must say that I feel embarrassed if I take up more of the attention of my colleagues by replying and explaining.

⁷⁹ The proposal to which the Secretary referred was circulated in the Council as C.F.M.(45) 84, September 30, p. 475. It was an amendment to a Soviet proposal which was circulated in the Council as C.F.M.(45) 83, September 30, p. 474.

BEVIN: If we discussed outstanding questions tomorrow, some of them arise on peace treaties. Shall we discuss it on the basis of the September 11 resolution, or in what way?

MOLOTOV: I think that the questions which relate to today should be settled today, and the questions which relate to tomorrow should be settled tomorrow. "Sufficient unto the day is evil thereof." (laughter)

BEVIN: I only wanted to know whether, about the September 11 resolution, it involved the withdrawal of the invitation to China? I think one is entitled to know what we are doing. I am not expressing an opinion, but I would like to know what it involves.

MOLOTOV: Perhaps there are any amendments to discuss?

BEVIN: Well, speaking for myself, I should be reluctant to sign anything until I saw the agenda being gone through and completed. It is very difficult. I have been looking through the different items and the number in the general so-called part of this controversy. If there are only recorded decisions, why we haven't done very much; because in nearly each case, like the Danube, waterways, and other things, they have been discussed but there was no decision. Well, there are a number of questions that we passed on and never came back to. I am most anxious for harmony and most anxious for these things to be cleared up. It is a very serious position we have arrived at, but we have responsibilities and either—(inaudible)—the protocol now and sign it together without withdrawal of the invitation at the last minute exactly what we are doing.

BIDAULT: Mr. Chairman, I agree with Mr. Molotov's views as regards the desirability and necessity of coming to an agreement. No appeal to the friendship of peoples and the cooperation of great powers will meet with any disappointment on the part of my country. Like any other delegation around this table, the French delegation realizes the necessity of not disappointing the world, which has placed so great hopes in our meeting. But since we are talking both of cooperation between the peoples and of the protocol, I must repeat that although I have accepted that there should be differences in the number of signatures, all protocols should be simultaneously submitted to examination of all the members of the Council. The French delegation is not in a position to agree beforehand what is being asked without having a formal assurance that there will be given access to what it says the French delegation should obtain, in accordance with what was agreed in common not so long ago. That's all.

WANG: Well, anyhow, I am a little more hopeful than an hour ago. I set today as the closing day of this session. An hour ago I was about to say to all my friends here that there was little prospect of agreement. Just now Molotov assured all of us of the good will to bring about harmony. Anyhow, I have no—I cannot ask you to

prolong the session since for my part I have not been able to make any constructive contribution. Therefore, I myself will not make any request for extension of the session, but Mr. Molotov just made it. He requested that the session should be prolonged for another day. He makes tomorrow the closing day of the session. I should like an opinion from you all on this request. If all my friends agree, we shall set tomorrow as the closing day and we prolong it, I shall offer my friend Mr. Molotov no resistance, now should I ask Mr. Molotov to give with a view on the proposal of Mr. Bevin. (inaudible comments continue) I repeat, I have no more a right to keep you longer than another day, and I do not on my part ask you to extend the session. It is the hope that after Mr. Molotov's talk I should—(inaudible).

BYRNES: Mr. Chairman, I know that my good friend had the best intentions in the world, and on Sunday night ⁸⁰ he asked that the Council remain in session up till Tuesday, in the hope that we could arrive at an agreement. The members of the Council have remained in session for long hours. The matters in dispute have been discussed fully and we have not made the slightest progress towards a decision. So far as the question which Mr. Molotov asked be discussed tomorrow, the paper that I submitted as to the calling of the conference, in view of his statement that he cannot tell me that he has authority to act, I think all members will realize that after discussing it for a week and being told by him that he did not have the authority to act, it would be useless for me to further discuss it with him when I know that he will have to tell me at the conclusion of the discussion that he cannot act. We must always have respect for the position of our friends, and when one of us states that he cannot act in a matter until he talks with his Government, then it is useless to insist upon his acting and certainly is a waste of time to further discuss the matter.

We hold a position of great responsibility and we cannot justify ourselves in the eyes of the people nor can we have respect for ourselves if we just go back to discussing the matter when other gentlemen are not in a position to make a decision. The same situation has been—holds with reference to the other question that Mr. Molotov suggested could be discussed tomorrow. That situation was disclosed in a response to the question of Mr. Bevin. Mr. Molotov stated that he could not say what would be done with reference to the discussion of the peace treaties insofar as the representatives of France and China remaining in the Council. Therefore, what purpose would be served by saying that we will discuss matters tomorrow when we know in advance—every man at this table knows—there will be no

⁸⁰ September 30.

agreement? If any good purpose can be served, why should we not continue right now? It is only 6:30. At the suggestion of the Chairman of the delegation from China, we agreed to continue the session until today. We have made every possible effort, and we may as well realize the situation and face it like men.

I do not think any good will come from a continuation of the discussion of the character that we have had for the last few days. However, if any other member believes it will, then I think we should continue in session. I am willing to stay and let us go ahead and discuss today the questions that we would be supposed to discuss tomorrow. It is far better to discuss questions and to continue to discuss this evening. Therefore, Mr. Chairman, I suggest that you ask the Council to take up the question that is to be discussed and let us see if we can agree now.

Mr. Chairman, in order to bring the matter to a head, I suggest that we now proceed to a discussion of the paper that I submitted, asking the Council to convoke a conference of the nations before the peace treaties are finally signed.

MOLOTOV: The question to which Mr. Byrnes is referring is not on our agenda. We have not that question on the agenda for our meeting this afternoon.

BYRNES: Mr. Chairman, can you tell me what is on the agenda for this afternoon? (laughter)

WANG: I am not in position to tell what is not on the agenda, or what is on.

MOLOTOV: So far as the Soviet delegation are concerned, they are not ready to discuss this question today.

BYRNES: Mr. Chairman, there was nothing on the agenda that I know of. My good friend, Mr. Molotov, presented a proposal of the Soviet delegation that was not on any agenda. And, Mr. Chairman, may I say that this paper has been before the Council for some time. It has been so long that I have forgotten the date when it was on. It just means that before the Council there was no agenda, there is no question except the questions that have been discussed day after day and have been discussed this afternoon. That is the question as to what you are going to put in the protocol, and if it is desired to discuss that further, I think we should proceed to discuss it unless anybody has anything to say that has not already been said.

BEVIN: Will it meet the Conference's approval if we go on and put this on the agenda for the first thing tomorrow?

BYRNES: Mr. Chairman, if the Council is to be closed tomorrow, as Mr. Molotov has suggested, we have got to midnight, so we have got till one o'clock tomorrow. If there is anything sacred about continuing until tomorrow, let us meet at nine o'clock and adjourn at one o'clock, and then it will be tomorrow. (laughter)

MOLOTOV: I have already stated that we have submitted a protocol concerning the agreed decisions. Is the exchange of views to be understood to mean that my colleagues refuse to sign the agreed decisions?

BYRNES: Mr. Chairman, it is agreed that my colleagues will sign the decision agreed to by four, but not the decision agreed to only by one. The Council, as I get the statements, agree to sign the protocol on the agreed decisions as agreed to by four, but not as agreed to by one member. If the decision of September 11 is placed in the protocol as I understand it, four members of the Council will sign it. One would not. I make that statement only from the expression of views at the table. I have no authority to talk for anybody but myself. I do not contemplate force. I just said that shows the disagreement. The protocol committee reported the protocols with the September 11 decision in it. As reported, I am willing to sign it. As I have said time and again, everybody knows it; and then agree to put in the protocol committee statement that my friend Mr. Molotov wants as to his views with regard to the decision of September 11, so that the record will show just what occurred. I put it in writing and distributed the statement in regard to number two of the Soviet proposal circulated this afternoon, that the general protocol should state the fact regarding the September 11 decision, also the position with reference thereto of the Soviet Union's position taken September 22. That latter statement can be in any form which the Soviet Union desires.

MOLOTOV: Mr. Chairman, will it be correct for me to draw the conclusion that the proposal submitted by the Soviet delegation today is not accepted?

BYRNES: Mr. Chairman, I don't think there is any doubt about it. I understood Mr. Molotov to say that the proposal I presented was not acceptable to him, and I said his proposal was not acceptable to me. That's right. There is no misunderstanding.

MOLOTOV: That means that my understanding is right, that the proposal which the Soviet delegation made to the meeting this afternoon is not accepted by my colleagues? Or else, will it be subject to discussion, or how should it be dealt with?

The purpose of the proposal made by the Soviet delegation is to create more favorable conditions and a more friendly atmosphere for the solution of the questions which have not yet been agreed upon. And to achieve this, the Soviet delegation propose that first of all the agreed decisions should be signed, the decisions—that is to say, the decisions about which everybody is satisfied. Everyone will understand that this will make our further work easier, and this will make many people in the world glad. The Soviet delegation expressed also the hope that they would facilitate the solution of the outstanding questions which it would be well to settle, but if this proposal meets

with objection, the Soviet delegation are compelled to take note of this fact. The Soviet delegation is not going to impose upon anyone its opinion on proposals.

I still think my suggestion is a good one, that in spite of disagreement, that Mr. Byrnes' proposal be on the agenda first thing in the morning and that we unanimously agree to wind up the session tomorrow.

BYRNES: Mr. Chairman, I only say this. I do not believe that it is going to do the Governments any good to continue as we are now going. If there is to be further discussion of that proposal, I ask that we set a meeting for any time this evening—it is now only seven o'clock—and place my proposal on the agenda as point one, and even though I know the results, I will be happy to discuss it again. I much prefer that we set the time for this evening at nine o'clock and come back and spend the evening, and I will be glad to discuss it.

I do not mean to be captious, but we are grown men and we know what we are going to do about that proposal after days and days of discussing it; and I will be glad to meet at any time at this session tonight; but I do not want just to spend the evening and the night and wait for the morning, knowing well what is going to happen in the morning.

BEVIN: Let us meet tonight at nine o'clock.

BYRNES: Nine o'clock. Then we will be able to close on the third. I agree that it be the first matter on the agenda. That is 84,⁸¹ which was offered as an amendment to 83,⁸¹ which was proposed by the Soviet delegation.

MOLOTOV: The Soviet delegation feel that this proposal of Mr. Byrnes' affects only those States which are signatories to the armistice terms, and it is for them to discuss.

BYRNES: Do I understand, then, that the position of my friend is that in the discussion of that proposal the Governments not signatories to the armistice terms of any country could not participate? Is that it?

MOLOTOV: The Soviet delegation are not in position to violate the Berlin decision.

BYRNES: Well, then, your position is that we discuss that matter that—how many of us could be present?

MOLOTOV: Let us read the Berlin decision. It will be seen from it.

BYRNES: The Berlin agreement says that the Council may convoke it, and I wanted to know how you construe the Berlin agreement as to the Council.

⁸¹ See footnote 79, p. 548.

MOLOTOV: Mr. Byrnes has read only paragraph four, and he has omitted paragraph three. I would like him to read both paragraphs together, and then the reply to his question will be obvious.

BYRNES: The language of the Berlin agreement says in all the cases the Council—the *Council*—may convoke a formal conference of States deeply interested in seeking a solution of the particular problem. Now look to one. The only way we are here is because a Council was established, and when the Council was established, if you read the language of the Berlin agreement it says there shall be established a Council composed of the Foreign Ministers of the United States, United Kingdom, U.S.S.R., China, and France. That is the Berlin agreement. Can't violate it.

Mr. Chairman, what my friend has said though is interesting to me, because he says that while I wanted to discuss my proposal tomorrow, under his interpretation only those could be present tomorrow who are signatories to terms of surrender, in some cases; and therefore that tomorrow he wishes me to discuss this matter about which he has no instructions from the Government in a meeting at which members of the Council could not be present.

Mr. Chairman, I think that would be very unfortunate. I think that if the purpose is to have a meeting tomorrow and then one delegation makes the point that some members of this Council can't sit in the Council, then on the last day and the last meeting some members shall be excluded from this Council, and it shall close not as a Council but only part of a Council, it will not contribute to the peaceful procedures of this Council in the future.

In good humor I submit to my friend that it would be far better if we wound up this Conference if not tonight—now—immediately—rather than to say to the world on the last day that two members were to be excluded from the consideration of a question. We had better part in good humor, on good terms, with mutual respect for each other, hoping that in days to come we may have a clearer understanding of the possibilities of making this Council work.

MOLOTOV: I am also in favor of parting in good humor. I have only one reservation to make, that is that I cannot agree with the interpretation placed by Mr. Byrnes on the Berlin decision. I am sure I am prepared to part in good humor, and I should like to see all of us part in good humor.

WANG: There is no agreement for a further meeting tonight?

BYRNES: No.

WANG: And then there is no agreement for holding a meeting tomorrow, that is right? I am constrained to say that the session of this Council is adjourned.

I am very delighted to say further that I happen to be the man who has prolonged the session until today, but as I had no request for another meeting, so I must so declare. No objection? My earnest hope is that the future meeting of the Council will be arranged by the Governments concerned.

BYRNES: If the meeting is now adjourned, I think we should all join in thanking Mr. Bevin. As our host he has been exceedingly kind to us, and I know that if he will invite us to his room on the other side of the steps I promise to be there, and I hope that my other colleagues will be there. Before we part, we can partake of his hospitality once more.

MOLOTOV: I associate myself with Mr. Byrnes.

BIDAULT: I also associate myself with my friend Mr. Bevin.

(Adjournment at 7:25 p. m.)

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Proposal by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 88

LONDON, October 2, 1945.

RESOLUTION PROPOSED BY THE SOVIET DELEGATION

To instruct the Representatives of the United States of America, Great Britain, the U.S.S.R., France and China on the Protocol Committee to draw up a protocol of the agreed decisions of the five Ministers and present it to the Council of Ministers for approval on the 2nd October, 1945.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Proposal by the Soviet Delegation to the Council of Foreign Ministers

C.F.M.(45) 91

LONDON, October 2, 1945.

PROCEDURE

The Soviet Delegation propose that on 2nd October the protocols of all the decisions agreed in the Council of Foreign Ministers should be signed, as follows:

(a) The Ministers of the United States, United Kingdom, Soviet Union, France and China will sign the protocol of the decisions of the Council of Ministers adopted by the five Ministers;

(b) The Ministers of the United States, United Kingdom, Soviet Union and France will sign the protocol of the decisions of the Council of Ministers concerning the Peace Treaty with Italy;

(c) The Ministers of the United States, United Kingdom and the Soviet Union will sign the protocol of the decisions of the Council

of Ministers concerning the Peace Treaties with Roumania, Bulgaria and Hungary;

(d) The Ministers of the United Kingdom and the Soviet Union will sign the protocol of the decisions of the Council of Ministers concerning the Peace Treaty with Finland.

2. Questions on which no agreement has been reached in the Council of Ministers up to 2nd October will be referred for consideration by the Council of Ministers on 3rd October.

Council of Foreign Ministers Files : Lot M-88 : CFM London Documents

Memorandum by the United States Delegation to the Council of Foreign Ministers

C.F.M.(45) 92

LONDON, October 2, 1945.

PROCEDURE: UNITED STATES PROPOSAL

1. There will be four protocols, a general protocol signed by five, a protocol regarding the Italian treaty signed by four, a protocol regarding the Roumanian, Bulgarian and Hungarian treaties signed by three, and a protocol for Finland signed by two.

2. The general protocol will state the fact regarding the 11th September decision, and also the position with reference thereto of the Soviet Union taken on 22nd September. That latter statement can be in any form which the Soviet Union desires.

3. The special protocols to be signed by four, three, and two respectively, will contain a head-note stating the fact that the non-signatory members were present pursuant to invitation, but did not vote, up to 22nd September, following which date there were no further treaty discussions.

4. The proposal of Mr. Molotov C.F.M.(45) 83,⁸² and the proposal of Mr. Byrnes C.F.M.(45) 84⁸³ will be left for further consideration by the governments.

5. Meanwhile, the deputies will consider general matters only, and not the drawing up of treaty terms.

6. If the Soviet proposal (C.F.M.(45) 83) and the United States proposal (C.F.M.(45) 84) are accepted, then the deputies will be instructed, in accordance with Soviet proposal (C.F.M.(45) 83), to proceed with drawing up the treaty terms in accordance with the directives which will be contained in the respective protocols.

7. If the Soviet proposal (C.F.M.(45) 83) and the United States proposal (C.F.M.(45) 84) are not accepted, then other procedure for peace-making will be sought.

⁸² September 30, p. 474.

⁸³ September 30, p. 475.

[For text of the statement by the Secretary of State on the conclusion of the First Session of the Council of Foreign Ministers, released to the press in London on October 2, 1945, see Department of State *Bulletin*, October 7, 1945, page 513.]

740.00119 Council/10-345 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 3, 1945—10 p. m.

[Received 11:25 p. m.]

10315. For the Secretary⁸⁴ from Dunn. Mr. Bevin decided not to have a press conference today as he was well satisfied with the press reports of the ending of the conference as far as the British press was concerned and he was particularly pleased with your press conference. From first accounts of some of the representatives of the American press present at Molotov's conference⁸⁵ Mr. Molotov gave the impression of being on the defensive. He gave out textually as you expected his last "conciliatory" proposal. I immediately gave Mr. Bevin your message about how to deal with it. He agreed with your suggestions and said he would give them out through the Foreign Office as guidance to the press probably without having a press conference himself.⁸⁶ [Dunn.]

WINANT

740.00119 Council/10-445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 4, 1945—3 p. m.

[Received 3:14 p. m.]

10326. Delsec 105. From Harriman.⁸⁷ In working out further arrangements for the peace settlements I believe we should decide what our interpretation of "drafting" peace treaties is. Are the decisions of the drafting countries to be firm decisions which cannot be changed

⁸⁴ The Secretary and his party left London for the United States by air shortly after noon, October 3.

⁸⁵ The text of Foreign Commissar Molotov's press conference in London on October 3, 1945, was printed in the Moscow newspaper *Izvestia*, October 4, 1945, as well as in the volume *Vneshnyaya politika sovetskogo soyuza: 1945 god* (Moscow, 1949), pp. 74-80. A translation of the press conference was transmitted to the Department as an enclosure to despatch 216S, October 4, 1945, from Moscow, not printed (740.00119 Council/10-445).

⁸⁶ For the statement by Foreign Secretary Bevin to the House of Commons on October 9, 1945, see *Parliamentary Debates*, House of Commons, 5th series, vol. 414, cols. 35-41.

⁸⁷ Ambassador Harriman was on a visit to London.

without agreement of all or are they preliminary understandings to be modified after discussion with other interested countries, each drafter being free to modify its opinion based on additional information obtained from subsequent discussions? It will be recalled that the Russians took the view that Dumbarton Oaks was a fixed agreement and considered that we were committed to force the Dumbarton Oaks decisions on the conferees at San Francisco. This led to considerable difficulty.

I believe we should make it clear to the Russians that our interpretation of "drafting" is that the agreements reached in this process are preliminary understandings, not binding decisions, and that each of the drafting countries is free to modify its position based on opinions expressed at the conference with the other interested nations. It, of course, must be understood that unanimous agreement of the drafting countries must eventually be obtained before final decisions are reached regarding the peace. [Harriman.]

WINANT

740.00119 Council/10-545: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 5, 1945—4 p. m.
[Received October 5—12:03 p. m.]

10384. Sargent,⁸⁸ superintending Under Secretary for Russian questions, has commented to us as follows on the behavior of the Russians at the sessions of the Council of Foreign Ministers:

1. In spite of the stand taken he personally believed that the Russians still want to cooperate and collaborate with the western countries but they want to do this if at all possible on their own terms and they are engaged now in trying to get themselves in as strong a position as possible and get as many as possible of their own terms established and accepted.

2. He thought that the Russians in taking the position they did on the preparation of peace treaties with Rumania and Bulgaria constantly had France in mind. The Russians must have reasoned that if they should succeed in eliminating France they would succeed in stamping France as a second or third rate power, cause discord between France on the one hand and Great Britain and the US on the other and gain for themselves a freer hand in Europe.

3. The present tactics of the Russians could, he thought, also be explained by the wholly understandable desire of the Russians to

⁸⁸ Sir Orme Sargent, Deputy Under Secretary of State in the British Foreign Office.

drive hard bargains while their military strength in Europe was still strong. The Russians of course realize how difficult it will be to provision large numbers of troops in Europe this winter and they may even fear that among some of their troops in occupation during the coming winter the food problem might become so acute that a measure of "disintegration" among these troops might develop.

Sent Dept as 10384, repeated Moscow as 342.

WINANT

740.00119 Council/10-545: Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, October 5, 1945—10 p. m.

[Received October 5—8:34 p. m.]

5878. Bidault gave me this morning an account in detail of his experiences in London which while very interesting did not give me anything outstanding. He was very much upset by the Russian attitude and very much worried about its possible future effect on France.

He took occasion to praise very highly the part played by Secretary Byrnes for whom he expressed much admiration.

He said that Couve de Murville would endeavor to impress upon Assistant Secretary Dunn the French point of view in regard to internationalization of the Ruhr and Rhineland.⁸⁹ He would also talk at a later date on the same subject to the British "Deputy".

Sent Dept 5878, repeated London 731.

CAFFERY

[For text of address by the Secretary of State reporting on the First Session of the Council of Foreign Ministers, broadcast from Washington on October 5, 1945, see Department of State *Bulletin*, October 7, 1945, page 507.]

⁸⁹ For additional documentation regarding the conversations in London on the matter of French proposals for the Ruhr and the Rhineland, see vol. III, pp. 880-925, *passim*.

MOSCOW CONFERENCE OF FOREIGN MINISTERS,
DECEMBER 16-26, 1945

740.00119 Council/10-1145 : Telegram

*The Ambassador in the Soviet Union (Harriman) to the Secretary
of State*

Moscow, October 11, 1945—5 p. m.
[Received October 11—1:35 p. m.]

3512. I met Molotov¹ at the Chinese National Day reception yesterday. After discussing my visit to Berlin and Vienna during which Molotov stated that Soviet military authorities had a high regard for Generals Eisenhower² and Clark³ and their respective staffs, I turned the conversation to London Conference.⁴ Molotov said he thought the principal mistake had been that there had not been more preparation between us, that there should have been an informal meeting before the general meeting, presumably between the Big Three. He agreed that if there had been only one session a day it would have permitted more informal talks before matters became an issue at the conference table. He seemed in much better health than at London and went out of his way to be friendly in his remarks. We did not, of course, touch at all on the issues involved. In reply to my inquiry he said Stalin⁵ planned to be away "about a month and a half".

I am keen to know your present thinking on how the situation left by the London Conference should be handled. It would be helpful to know what you would like accomplished in connection with any informal talks I may have with Molotov or Vyshinski,⁶ even if formal approach at this time may seem inadvisable until Stalin's return.

It would also be helpful if I could be given a translation of Molotov's answer to your letter regarding control of Japan which came just

¹ Vyacheslav Mikhailovich Molotov, People's Commissar for Foreign Affairs of the Soviet Union.

² General of the Army Dwight D. Eisenhower, Commander in Chief of United States Armed Forces in Europe and Military Governor in Germany.

³ Gen. Mark W. Clark, Commanding General, United States Forces in Austria.

⁴ For documentation on the first session of the Council of Foreign Ministers, September 11-October 2, 1945, see pp. 99 ff.

⁵ Generalissimo Iosif Vissarionovich Stalin, Chairman, Council of People's Commissars of the Soviet Union.

⁶ Andrey Yanuaryevich Vyshinsky, Assistant People's Commissar for Foreign Affairs of the Soviet Union.

before you left London and whether you intend to reply to his letter.⁷ As I recall it Molotov stated that he considered the question should be discussed between us outside of the Far East Advisory Council.

HARRIMAN

740.00119 Council/10-1145 : Telegram

The Chargé in the United Kingdom (Gallman) to the Secretary of State

LONDON, October 11, 1945—3 p. m.

[Received 3 : 40 p. m.]

10611. A high-ranking Foreign Office official who is concerned with Russian relations has just made the following remarks to us:

1. High Soviet officials must have reasoned that if Molotov stood out long enough at Conference of Foreign Ministers for the Russian plan on procedure, the other powers would eventually have been worn down to the point of acceptance. Failure of these tactics has clearly caused confusion in high circles in Moscow. First manifestation of this was press treatment of the Conference with *Izvestia* striking one note and *Pravda* another.⁸

2. It is to be anticipated that in the immediate future Soviets will "stall" on giving replies and taking action on any number of pending questions. This will no doubt be particularly in evidence on the various Control Councils and Commissions. The "stalling" it is believed can be attributed in part to resentment over the failure of the line taken at the Conference but also to the waiting by Soviet officials down the line for new directives from the top.⁹

Sent Department as 10611, repeated Moscow as 349.

GALLMAN

⁷ For the Secretary's letter to Molotov, September 29, regarding the Far Eastern Advisory Commission, and Molotov's reply of October 1, see vol. vi, section under Japan entitled "Surrender of Japan . . .", Part II.

⁸ Apparently references are to the front page *Izvestiya* editorial of October 5 and the front page *Pravda* editorial of October 6. The *Izvestiya* editorial stressed the failures of the Conference, while the *Pravda* editorial conceded that the Foreign Ministers had been in agreement on a substantial number of problems.

⁹ For an appraisal by George F. Kennan, Chargé in the Soviet Union, of the effects of the Council of Foreign Ministers' meeting on the general Communist Party line, on official Soviet ideology, on actual Soviet policy, and on the inner political situation in the Soviet leadership, see telegram 3454, October 4, from Moscow, vol. v, p. 888.

740.00119 Council/10-1245: Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, October 12, 1945—4 p. m.

2152. The President wishes you to deliver the following message¹⁰ to Stalin in his name:

"Mr. Byrnes has reported to me upon his return from London. I was pleased to learn that on a number of subjects the Council of Foreign Ministers was in general agreement. I feel that at this first meeting the ministers have made substantial progress.

"I was surprised to learn, however, that not only in private conversations between Mr. Molotov and Mr. Byrnes, but also at the Council table, Mr. Molotov suggested that the United States policy in regard to the recognition of the governments of Rumania and Bulgaria appeared to be motivated by an unfriendly attitude towards the Soviet Union.

"I cannot believe that your government seriously believes that American policy is so motivated. Our policy in regard to the recognition of the Provisional governments of Finland, Poland, Hungary and Austria indicates that we are anxious, and are willing to go far, to concert our policy with that of the Soviet Union. As I endeavored to make clear at the Berlin conference, our government is only trying to carry out the policy sponsored by President Roosevelt and accepted by the three governments at the Yalta Conference.

"Mr. Byrnes has also reported to me of the procedural difficulties which brought the London conference to an impasse. It appears that on September 11, the Council invited members not parties to the surrender terms to participate in the discussions of the treaties without vote. This procedure, which at the time of its adoption was not questioned by any member of the Council, was to my mind clearly a proper and permissible procedure under the Berlin agreement.

"Mr. Byrnes felt unable to agree to the change in this procedure suggested by Mr. Molotov on September 22. He rightly felt that our government could not humiliate France and China by withdrawing in the midst of the conference the invitation extended to them to participate in the treaty discussions after they had already participated in sixteen sessions.

"In an effort to find a solution acceptable to all members of the Council, Mr. Byrnes stated that he would accept a narrowing of the drafting procedure provided it was agreed that the Council would call a peace conference of the principally interested states as authorized by Article 2 (4) (ii) of the Berlin Agreement.

"I hope that you will find it possible to accept Mr. Byrnes' proposal. I feel that since all of us extended to China and France an invitation to participate in the discussion of these treaties we should work out a procedure which will insure the convocation by the full Council of a peace conference for the consideration of the treaties.

¹⁰ A draft of a proposed message to Stalin, substantially the same as the one printed here, was transmitted to the Secretary by Assistant Secretary Dunn and Ambassador Harriman in telegram 10328, October 4, 1945, from London (740.00119 Council/10-445).

"I hope we can reach early agreement on this matter in order that the deputies may proceed under clear instructions as to their procedure with the important work that has been referred to them.

"Early settlement of disagreement on peace machinery is essential to prevent misunderstanding among the people of both our countries which might make future cooperation more difficult. I am sure that you will agree with me that the common interests of both our countries in the peace are for more important than any possible differences among us.

"I am asking Ambassador Harriman, who has been at London and is fully acquainted with my views, to bring this personally to you so that you will have an opportunity to discuss any points about it that are in your mind."

If you are unable to reach Stalin, we will have to decide on a different method of transmission as to which I should appreciate your advice.

BYRNES

740.00119 Council/10-1445: Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, October 14, 1945—6 p. m.
[Received October 14—11:25 a. m.]

3541. Personal for the Secretary. Have just received your telegram 2152, October 12, 4 p. m., transmitting message to Stalin from the President. This message evidently was delayed in transmission and did not reach Embassy until 9 this morning October 14.

As I have reported, Molotov told me Stalin would be away about 6 weeks which would mean that he would not return until third week in November. It is rumored, and I believe likely, that he has gone to his country house in Sochi in the Caucasus area of Black Sea. Today being Sunday Molotov is out of town but I hope to see him tomorrow. I propose to tell him that I have seen a message which the President has asked me to deliver to Generalissimus Stalin personally and to discuss it with him. I will propose that arrangements be made for me to go to Stalin's residence for this purpose, emphasizing importance of the matter. I have no idea whether this will be permitted but I will make every attempt to see Stalin personally within the next few days. If I find this impossible I will telegraph recommendation as to alternative procedure. My recommendation would to some extent be affected by Molotov's general attitude.¹¹

HARRIMAN

¹¹ Telegram 3558, October 16, noon, from Moscow, printed in vol. VI, reported that Ambassador Harriman had seen Foreign Commissar Molotov on October 15 and had explained the procedure he wished to follow in delivering the President's message to Stalin; on October 16, Molotov informed Ambassador Harriman that the latter's request had been telegraphed to Stalin.

740.00119 Control (Japan)/10-1645

The British Ambassador (Halifax) to the Secretary of State

RECORD OF CONVERSATION

Mr. Bevin ¹² has asked me to tell you how much he appreciates your action in giving him an opportunity of considering the proposed message to Stalin.

While Mr. Bevin still believes that any fresh approach to the Soviet Government would be a mistake, he sees no objection to the President sending the message proposed. He would, however, wish to make the following comments.

(a) As the whole purpose of the message is to put the facts to Generalissimo Stalin himself, Mr. Bevin certainly agrees that the message should be handed to the Generalissimo personally. As the Generalissimo is now reported to be away on holiday, the United States Government may prefer to delay despatch until he has returned to Moscow.

(b) Mr. Bevin assumes that His Majesty's Government will in no sense be committed by the President's message and that the idea of the United States Government is that if Generalissimo Stalin reacts favourably, the United States Government would then approach the United Kingdom, French and Chinese Governments. In order to avoid misunderstanding with the Russians, Mr. Bevin thinks it important that this should be clearly indicated in the message.

(c) If the moment comes to define future procedure more closely, there are a number of detailed points arising from the United States proposal which will require clarification.

[WASHINGTON,] October 16, 1945.

740.00119 Council/10-1845: Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, October 18, 1945—4 p. m.

[Received October 18—12:20 p. m.]

3588. Personal for the Secretary. My 3558, October 16.¹³ Molotov called me to the Kremlin this afternoon and read to me from a message he had received from Stalin. Stalin said he would receive me with pleasure at Sochi where he is on leave in order to receive the message from the President and to discuss it with me. He suggested the 24th, 25th or 26th of October. I replied the sooner the better and we settled on October 24.

¹² Ernest Bevin, British Secretary of State for Foreign Affairs.

¹³ See footnote 11, p. 563.

Molotov has placed a plane at my disposal and I plan to take Page¹⁴ to interpret and a communications officer so that I can communicate with you through the Embassy if it proves necessary.

HARRIMAN

761.00/10-1945

The British Ambassador (Halifax) to the Secretary of State

WASHINGTON, October 19, 1945.

MY DEAR SECRETARY OF STATE: Mr. Bevin has asked me to send you the enclosed copy of a message addressed to him by Field Marshal Smuts¹⁵ concerning Russia's policy as revealed at the Council of Foreign Ministers. In agreement with Field Marshal Smuts, Mr. Bevin wishes you to have it for your personal and very confidential information.

Mr. Bevin asks me to explain that he feels you may like to see what, in his view, is a wise and understanding message which reflects the great experience and mature judgment of its author. He has told the Field Marshal that he entirely agrees with his views and, in particular, with his comment on Russian bargaining procedure and how to meet it.

Yours sincerely,

HALIFAX

[Enclosure]

*The Prime Minister of the Union of South Africa (Smuts) to the British Secretary of State for Foreign Affairs (Bevin)*¹⁶

Much as I regret the breakdown of the Council of Foreign Ministers, I thoroughly approve course followed by you. While great power unity is admittedly essential to the success of the future peace, it must neither be secured by a process of appeasement for the sake of unity nor must it ignore lesser interested powers in reasonable consultation and discussion. This principle of discussion on the widest basis was expressly conceded by Russia at San Francisco after a prolonged struggle and is embodied in a vital clause of the Charter. To refuse to concede it to China and France, under present circumstances in the discussions of the Council of Foreign Ministers, is a clear breach of the spirit of that principle in the Charter. Russia is a hard bargainer and is evidently prepared to haggle over questions of procedure and all other minor matters of interest to herself so long as she can achieve her aims. For this purpose she refrains from laying all her

¹⁴ Edward Page, First Secretary of Embassy.

¹⁵ Field Marshal Jan Christian Smuts, Prime Minister of the Union of South Africa.

¹⁶ Unsigned paraphrased text as transmitted by telegram from Foreign Secretary Bevin to the British Embassy in Washington.

cards on the table, and, after having secured points favourable to herself, proceeds to raise and fight hard over other points in which the Allies are particularly interested. The proper course to pursue with her is to be quite frank and to make no single concessions until all the relevant matters have been tabled, discussed and disposed of as a whole.

Her claims for the Dalmatian Islands to go to her protégé Yugoslavia were readily conceded, but when subsequently the Dodecanese were claimed for Greece she avoided a decision. At an earlier stage at Teheran and Potsdam huge slices of German and other territory were conceded to her and her protégé Poland but when subsequently our claims were advanced in the Mediterranean area she put up an obstinate fight. No concession to her should be finalised unless and until concessions demanded in the interests of other Allies have also been disposed of. This is the only way to deal with a realistic bargainer like Russia and I think great power unity is more likely to be achieved in such a way than by making piecemeal concessions without our securing a *quid pro quo* at the same time.

We are now in the awkward position that, while Russia has largely succeeded in her territorial objects, she now fights for a position in Africa where we are bound to resist in our own vital interests, and we are placed in the false position of appearing to pursue a dog in the manger policy and exclude her from Africa. I hope that we shall firmly resist her claim to African trusteeships, and that the United States of America will understand the danger of this infiltration into other Continents besides what she is already virtual mistress of. Russia has her reward for her enormous efforts in Europe. Why should the British Commonwealth not have theirs for their immense efforts in Africa and the Mediterranean Basin and elsewhere? We are prepared also to concede to the United States of America much of a free hand by way of strategic bases in Pacific. She should loyally support us in our vital African interests.

The future of the world will depend in large measure on present territorial arrangements and on safeguarding the vital communications of a scattered maritime group like the British Commonwealth. It should be appreciated by America that ours is not a mere selfish interest but a vital necessity of future world balance and world peace.

It is in this sense that I support your stand in the Council wholeheartedly. South Africa's claim for a real voice in the peace for which she also made great sacrifices is not only based on justice but was also made to give an opportunity for reconsideration of these territorial questions as a whole and not piecemeal.

740.00119 Council/12-2545

*Memorandum of Conversation, by the First Secretary of Embassy
in the Soviet Union (Page)*¹⁷

GAGRI,¹⁸ October 24, 1945.

Present: Generalissimus I. V. Stalin
Mr. Pavlov, Soviet Interpreter
W. A. Harriman, American Ambassador
Edward Page, First Secretary of Embassy

Subject: 1. The Japanese Situation.
2. The Procedural Question.

After a preliminary exchange of remarks on the Caucasian coast and Generalissimus Stalin's health, the Ambassador presented to him the President's message¹⁹ with Russian translation, stating that the President was anxious to obtain his reaction thereto. The President wished to know what was on the Generalissimus's mind and he had therefore instructed the Ambassador personally to discuss the message with him.

The Generalissimus read the message carefully, looked up, and stated "the Japanese question is not touched upon here". The Ambassador stated that he was not surprised that he should bring up this question. He explained that the Japanese question was being discussed at the present time between the State and War Departments and General MacArthur and the President hoped to have some concrete proposals ready by October 30 when the meeting of the Far Eastern Advisory Commission would convene. The Ambassador continued that he would be entirely frank providing the Generalissimus would allow him to discuss the matter informally and would accept his remarks as unofficial. If so, he could explain the thinking of the President and his advisors on this question as far as it had gone. Stalin said that he would be grateful for any information, which he, of course, would keep secret.

[Here follows a discussion of the Japanese situation, omitted here.]

The Generalissimus then turned to President Truman's message and inquired "what does Mr. Byrnes' compromise amount to? Can you explain the substance of the proposal not accepted by Mr. Molotov?"

The Ambassador stated that Mr. Molotov had never rejected Mr. Byrnes' proposal. He had said that he had to consult his Government in person. At the September 11th meeting of the Foreign

¹⁷ This conversation was reported to the Department in telegram 3664, October 26, 1945, from Moscow, not printed.

¹⁸ Resort town on the Black Sea coast of the Caucasus, near Sochi.

¹⁹ The President's message was transmitted in Department's telegram 2152, October 12, to Moscow, p. 562.

Ministers' Council, Mr. Molotov had agreed that it would be proper to invite France and China—and also the United States, when Finland was discussed—to remain in the room during the discussions of all the peace treaties. Only those agreed upon at the Potsdam Conference could vote on matters regarding these treaties. The other representatives could only participate in the meetings and make comments. However, after sixteen meetings Mr. Molotov said that this procedure was a mistake and that the Foreign Ministers should return to the restricted procedure under the 4-3-2 formula. Mr. Byrnes had replied that it would be impossible to humiliate the French and China by throwing them out after they had been invited to participate in sixteen meetings, unless some agreement were reached as to when they should be invited back. Mr. Bevin had agreed to this. Mr. Byrnes had freely admitted that if Mr. Molotov had taken this position on the first day the meetings could have been thus limited. However, the Potsdam Agreement contained authorization to invite the other nations to participate in the peace discussions. Mr. Byrnes was now trying to find a dignified way to solve the present impasse. He had suggested that after the peace treaties had been drafted by the smaller groups in accordance with the Potsdam Decision, a peace conference be held which would be made up of the most interested parties. The Chinese and French had tentatively agreed to this proposal if it were agreed to by all. Mr. Molotov, however, had requested Mr. Byrnes to return to the restricted procedure and to leave the peace conference for the future. Mr. Byrnes did not believe this fair to the French and Chinese and had thus suggested agreement on calling of the peace conference as a compromise. After this conference, only those present at the conference who had been at war with each satellite would conclude the peace. The Ambassador concluded that he was a devil's advocate since he thought Mr. Byrnes' proposal was a very wise one.

Generalissimus Stalin again read the paragraph of the President's message to the effect that in an effort to find a solution acceptable to all Mr. Byrnes had stated that he would accept a narrowing of the draft procedure provided it was agreed to that the Council would call a peace conference of the principally interested states. The Generalissimus remarked that there was no reference in this paragraph to those countries that had declared war and whether such countries should be invited to the conference. He remarked that many countries had declared war in order to obtain a seat in the security organization.

The Ambassador stated that Mr. Byrnes had proposed three classes of countries to participate in the peace conferences, namely: (1) the five permanent members of the Security Council since these nations were primarily interested in the preservation of peace; (2) the Euro-

pean members of the United Nations; and (3) those non-European nations which had supplied substantial armed forces against the Axis. These included Canada, Australia, South Africa, New Zealand, India and Brazil—the only South American country. Brazil had sent two divisions to Italy.

Generalissimus Stalin reading from his records of the London meetings, stated that he had understood the proposal as follows: the Council would prepare drafts of the peace treaties under the 4-3-2 formula to draft the peace treaties. The Council would then call a peace conference made up of the five permanent members of the security organization, all the European United Nations and all the non-European nations which had supplied substantial military contingents. This conference would meet in London and as a basis for its deliberations it would accept the reports of the deputies. After full hearing and discussion final approval of the peace treaties would be made by the states which had waged war with the enemy states. The Ambassador stated that the Generalissimus's understanding of the proposals was correct. However, it should be added that the deputies would draft the treaties under the 4-3-2 formula.

The Generalissimus remarked that if one general conference were to be called he wondered whether Italy, for example, could contribute anything in the discussions on the Finnish treaty. He questioned the advisability of one general conference and developed the theory of a series of conferences, on Bulgaria, Finland, and Rumania for example. He could not see what Brazil could contribute to a conference on Finland and stated that it appeared to him that it would be more feasible to convoke a group of conferences.

The Ambassador stated that the President and Mr. Byrnes agreed that only those states who actually waged war against an individual enemy should have the final say as to the peace and should sign the treaties. They believed however that there was in fact only one European war and all those directly involved in it should be asked to review the work of the Foreign Ministers and present their ideas. However, the final voice should remain with those who had been engaged in war with actual fighting forces with each enemy. He wished to point out that Italy was not one of the United Nations, was an enemy state, and therefore would not be involved in the conference. He continued that it was Mr. Byrnes' idea that all the European countries at war with the Axis should have the right to be heard in such a conference. Although Belgium and Holland, for example, had not been technically at war with Italy they were vitally interested in the peace. There had to be some period when all the European countries had the right to voice their views in connection with the peace treaties. This included China, a permanent member of the Security Council.

The Generalissimus stated that he could accept at the conference those countries who had actually fought but there were other countries who had declared war and who had not sent one soldier to the front. What did they have to do with the peace? President Truman had said that the conference should be made up of those principally interested states. Mr. Byrnes' proposal appeared to broaden this formula. What had Puerto Rico to do with Rumania? It had not sent one soldier abroad. Greece and Yugoslavia had fought against the Italians. The Chinese had not. The fact that the Chinese were a member of the Security Council did not enter the picture. The Security Council had entirely different functions. The peace treaties should be settled now. The Security Council has a future role. It was not called upon to deal with these matters. Justifying Chinese participation in the peace conference on the ground that it was a member of the Security Council was not appropriate. Furthermore, India was not a state. It was a colony. If the British granted India certain rights, dominion status for example, he would favor its participation in the peace conference. However, it was not likely that such rights would be granted.

The Generalissimus continued that he must give the matter more thought. He believed however that a basis for compromise could be found along the following lines:

(1) Call a meeting of the Foreign Ministers to work out the peace treaties on the 4-3-2 formula.

(2) After the peace treaties had been drawn up, call a peace conference of not only those who had signed the armistice but those who had sent contingents to Europe and had waged war—not those who had technically declared war.

(The Ambassador inquired whether this included those who had fought against any one of the Axis. The Generalissimus replied in the affirmative).

(3) Following the conference, not only the big three but also such countries that had actually waged war should conclude the peace.

The Ambassador stated that it was the President's idea to convoke one conference to which the five draft peace treaties should be submitted rather than separate conferences with all the complications involved. The Generalissimus stated that he clearly understood this. However, he thought that it might be preferable for example as far as Bulgaria was concerned, to invite the Greeks and the Yugoslavs to attend during the discussions of the Bulgarian treaty. When the Hungarian treaty was under discussion it might be better to invite not only the Big Three but the Czechs and the Yugoslavs. With respect to Italy—who should be invited? The Brazilians? Yes. They had sent two divisions. All countries which had fought against the Italians, not platonically by declaring war but with actual troops,

should be invited. The Ambassador had mentioned Belgium. He could understand the participation of the Belgians in the German peace but not their participation in the Italian and Rumanian peace. They had not sent one soldier to Italy or Rumania.

The Ambassador stated that with respect to Italy a number of countries, including all the dominions and India had been involved. They had all sent troops. The Generalissimus stated that he had no objection to the participation in the Italian peace conference of all those who had actually fought the Italians.

The Ambassador stated that the President's view was that this had been one war. Various countries had participated at different times on different fronts. All the satellite countries had assisted Germany in the war. Furthermore, the armistices with the satellites had been signed on behalf of the United Nations. In addition, the Generalissimus would recall that at Potsdam it had been agreed that the draft peace treaties would be submitted to the United Nations. Therefore all the nations who had participated in the war with substantial forces on any front should be given the opportunity to express their views even though they may not have had troops in one particular theatre. The President felt that unless these countries were consulted ill will would be created unnecessarily throughout the world. These countries were entitled to a voice in the peace. This was a procedure contemplated at Potsdam and one wise to follow out. If attempts were made to restrict the conference the Big Three would only be doing themselves harm in the eyes of the world. Take Norway, for example. The Norwegians had placed their ships in a common pool. They were used wherever needed. Supplies had gone to Italy in them and quite possibly to the air forces which had carried on operations in the Balkans. The Generalissimus abruptly stated that such countries could express their views to the press. The Ambassador stated that the question was quite different. These countries should be asked in a dignified way to come to the peace conference as sovereign states.

The Generalissimus inquired whether Puerto Rico should be asked to such a conference. The Ambassador replied that he would have to correct the Generalissimus. Puerto Rico was United States territory. The Generalissimus corrected himself and said he meant Costa Rica. The Ambassador replied that Mr. Byrnes had suggested that only those who had actually waged war should be invited. Insofar as the South American countries were concerned only Brazil was included on the Secretary's list. The Generalissimus stated he had no objections to Brazil but remarked that Nicaragua, Costa Rica and Haiti had declared war on Rumania. The Ambassador again stated that under Mr. Byrnes' formula these countries would not be invited to participate in the peace conference.

The Ambassador continued that according to his understanding the main difference between the Generalissimus's and the President's proposals was that the President wished to submit all the drafts of the peace treaties to one conference and to hear the views of the conferees. The President did not wish to try to decide who had been involved in the war against whom. It had been one war and there should be one conference to which all the peace treaties should be submitted. It would be inadvisable to try to divide up the conference into different groups. The President did not feel that it was possible to segregate one satellite from another. More good will would be created in the world by convoking a general conference. This was in line with the spirit of the United Nations. If that spirit could be agreed to, the Ambassador did not believe that it would be difficult to agree upon a list of nations to be invited. The President was quite prepared to exclude those South American countries which had not been actually involved in the war.

The Generalissimus stated that whenever the Big Three were engaged in making decisions the entire world wondered whether such decisions would be fair. There was always an important moral factor involved. He considered that it would be unfair to place on a par those countries which had waged war and which had been occupied by the Germans, with other countries which had not fought and which had not been occupied. Furthermore, there were countries which had helped the Germans and others which had merely technically declared war. Take Chile, for example: it had helped the Germans and the Japanese. What had Chile to do with Italy or Germany and why should they be invited to attend such a conference. The Ambassador again stated the President agreed that South American countries should not be invited save Brazil. The Generalissimus remarked that Chile was one of the United Nations. The Ambassador stated that notwithstanding this fact it was not on Mr. Byrnes' list. The Generalissimus inquired whether this meant that not all the United Nations would be invited to the conference. The Ambassador stated that only those would be invited which had provided troops and actually waged war.

The Generalissimus stated that he would like to see a concrete list. Such a list could not be drawn up by the deputies of the Foreign Ministers. A conference should be called of the Foreign Ministers and such a list should be drawn up. Furthermore the question of control machinery for Japan should be considered. The deputies alone were not capable of handling such questions. Agreement should be reached first on the list of countries invited to the peace conference. Then agreement should be reached on Japan.

The Ambassador stated that he felt sure the President would agree that the Foreign Ministers should meet again after the question of

the peace conference was settled. However, he also felt sure that the Generalissimus would agree that the deputies should continue in the meantime the work assigned to them after general agreement had been reached on the list. The Ambassador then handed the Generalissimus the list of countries, as he recalled it, which Mr. Byrnes had in mind in London. He said that he could not guarantee this list; however, it was substantially correct. The Generalissimus inquired as to the advisability of including China. The Ambassador stated that the President felt strongly that China, as a permanent member of the security organization, should be included. Italy had had interests in the Far East. The Generalissimus remarked that China had sent no forces to Europe. The Ambassador replied that it would be very unfortunate to exclude China since that country was a member of the Security Council and a member of the Council of Foreign Ministers. The Generalissimus interjected that China was a member of the Foreign Ministers' Council only on matters affecting it. The Ambassador again stated that it would be very unfortunate to leave China out if a general European conference were convoked. He inquired whether China was the only country not on the Generalissimus's list. The Generalissimus stated that he also wished to exclude India, Belgium and Holland. The Ambassador remarked that India had sent troops to the Middle East and to Europe and that he again wished to refer to the principle of one indivisible war. Norway and Holland had supplied ships whenever they were needed. The Generalissimus remarked that if it was one indivisible war Yugoslavia and Czechoslovakia, for example, should be invited to the Far East peace discussions. The Ambassador stated that the President divided the European from the Far East war. The Generalissimus apparently accepted this interpretation.

The Generalissimus then turned to that section of Mr. Byrnes' proposal concerning the work of the proposed conference and the conclusion of peace treaties with the satellites and inquired into the exact interpretation of it. The Ambassador stated that what Mr. Byrnes wished to do was to invite the nations on the list to hear the views of these nations but not to conclude the peace. It was not necessary to be bound by the views expressed in this conference. For example, the United States was not at war with Finland. It might wish to have the right to express certain views on Finnish peace. However, it would not sign this peace. Referring to the final stage of concluding the peace treaties the Generalissimus stated that Mr. Byrnes' draft was apparently drawn up in haste. The term "those at war" should be more closely defined. Did this mean those who had actually fought, those who had signed the armistice, or those who had merely declared war. The Ambassador stated that he knew what Mr. Byrnes had in mind. Take Bulgaria for example. He thought it right that the

USSR, the U.S.A., Great Britain, The Dominions, White Russia, the Ukraine, Yugoslavia and Greece should conclude the peace with Bulgaria. The Generalissimus brought up the case of Italy. Although India had sent contingents these were rightly British forces. India was not an independent state. The Ambassador remarked that this question had been thrashed out at San Francisco Conference in connection with the Ukraine and White Russia. The Generalissimus stated that he was not pressing for the inclusion of the Ukraine and White Russia in the present conference. The Ambassador stated that India was a British problem. He was not prepared to discuss it. He knew that the British were trying to give India dominion status and he would like to point out that the Indians had actually fought. The Generalissimus stated that he would welcome seeing dominion status accorded India. However, this would not come soon. The Ambassador stated that his Government wished to give India as much prestige as possible. For this reason we would welcome India in the peace conference. The Generalissimus remarked, that if India were invited Indo-China should also be included. However, we believed that if India were invited to the conference the world at large would not think it a wise move. With respect to India's participation in the world organization this was a future problem. The world organization would last a long time. The peace treaties should be drawn up immediately. It was a bad analogy to compare the peace conference under discussion with the United Nations Organization. No one had suggested that Turkey or the Argentine be invited to the present conference. The peace conference and the United Nations were two entirely different things. The Ambassador again referred to India and stated that not only had that country sent substantial troops to the Middle East but had fought well. The Generalissimus again repeated that these were British troops. India was not allowed to have its own troops. It did not have its own government or foreign minister. He said that if India were not invited this would expedite the accordance of dominion status. If India were not invited it could be said that the British and Americans wished to invite India but that Stalin had frustrated these plans. In this case, he would make it clear why he had opposed the inclusion of India. This would give him a pretext to say something publicly about India. The Ambassador stated that he knew that the President wished to invite India in order to give that country more prestige. It was a matter of opinion whether the extension of such an invitation would encourage the development of dominion status.

The Ambassador stated that he would like to discuss a little further the Japanese question. However, since he had already taken up three hours of the Generalissimus's time he would like to know whether the Generalissimus wished to continue the conversation or postpone the

consideration of this subject until the following day. The Generalissimus replied that he would prefer to discuss the Japanese problem tomorrow and suggested a meeting at 7:00 P. M.

740.00119 Council/12-2545

Memorandum of Conversation, by the First Secretary of Embassy in the Soviet Union (Page) ²⁰

GAGRI, October 25, 1945.

Present: Generalissimus I. V. Stalin
Mr. Pavlov, Soviet Interpreter
W. A. Harriman, American Ambassador
Edward Page, First Secretary of Embassy

Subject: The Japanese Situation

After preliminary remarks on railroad construction in the Caucasus, the Ambassador stated that as the Generalissimus had originally raised the Japanese question he now wished to clarify certain aspects of this matter.

[Here follows a discussion of the Japanese situation, omitted here.]

The Ambassador inquired whether there would be any useful purpose in discussing the London procedural question any further. He remarked that the Generalissimus had stated that the Japanese question should be settled first. The Generalissimus replied that the two questions should be settled simultaneously since they were linked together. The Ambassador inquired as to what he should report with respect to the Generalissimus' views on the procedural question. The Generalissimus replied that he had explained his point of view in yesterday's meeting. The Ambassador stated that as he understood it agreement should first be reached upon what nations should be invited to the proposed peace conference. The Generalissimus replied that it would be advisable to agree on this matter. The Ambassador inquired whether he was right in assuming that the Generalissimus was ready to have submitted to this conference the four peace treaties drawn up in accordance with the Potsdam 4-3-2 formula. The Generalissimus replied in the affirmative. He stated that he did not object to a general conference. However, first of all the rights of the members of this conference should be defined as against the rights of the signatories of the armistice terms. The Ambassador inquired as to what rights the Generalissimus had in mind. Who, for example should conclude the peace treaties? The Generalissimus replied that those who signed the surrender terms should be the nations to sign the peace treaties. The Ambassador inquired whether countries like Yugoslavia

²⁰ This conversation was reported to the Department in telegrams 3669 and 3670, October 26, from Moscow, neither printed.

and Greece, insofar as Bulgaria was concerned, should have any rights in the final stage, that is in the actual conclusion of the peace, or only rights of expressing their views at the general conference. The Generalissimus replied that there was no objection on his part to such countries signing the peace. However, the nature of the peace treaties should be defined by the armistice makers.

The Ambassador inquired as to the Generalissimus' reaction to the list he had left with him last night. (The Generalissimus went out of the room to get the list). He then stated that he objected to the inclusion of China, Belgium, Holland, Luxembourg, Norway and India. The rest had taken part in the war against Italy and he would accept them. The Ambassador stated that he knew the President felt that Belgium and Holland had been vitally affected by the war and should be brought into these discussions. The Ambassador and the Generalissimus thereupon went over the list. The Generalissimus stated that in addition to the Big Three, France, Czechoslovakia, Yugoslavia, Greece, Australia, New Zealand, South Africa, Canada, Brazil and Ethiopia should participate in the peace conference. He objected to the participation of Norway, Holland, Belgium, Poland, India, China and Luxembourg. He did not "require" the participation of the Ukraine or White Russia.

The Ambassador reiterated the President's concept that this was one war against the Axis. Such countries like Norway, Holland and Belgium had been overrun by the Nazis. They were vitally interested in the peace. Norway and Holland had continued to fight with their navies and merchant shipping. The Generalissimus remarked that if these countries should be included all of the sixteen [Soviet] republics should also participate. They had fought and suffered. They had more independence than India. The Ambassador inquired whether the sixteen republics could be placed in the same category as the sovereign independent countries of Belgium, Holland and Norway. The Generalissimus maintained that they were the same as India.

The Ambassador stated that he would immediately report in full to his Government as soon as he had returned to Moscow. He was very grateful for the amount of time the Generalissimus had given him and he wished to thank him most sincerely for the Generalissimus' hospitality and enjoyable time he had had during his visit to Gagri.

The Generalissimus concluded that he had not only received Mr. Harriman as the Ambassador of America but also as a friend. It would always be so.²¹

²¹ On October 26 Stalin sent a brief message to President Truman stating that he, Stalin, had had two talks with Harriman and had replied to the questions raised by the Ambassador; for text of the message, see Ministry of Foreign Affairs of the U.S.S.R., *Correspondence between the Chairman of the Council of Ministers of the U.S.S.R. and the Presidents of the U.S.A. and the Prime Ministers of Great Britain During the Great Patriotic War of 1941-1945* (Moscow, Foreign Languages Publishing House, 1957), vol. II, p. 276.

740.00119 Council/11-1245

The British Embassy to the Department of State

1. On the 29th October Mr. Byrnes was good enough to give Lord Halifax a general outline of the reception which Stalin had accorded to the President's proposal that a procedure should be worked out to ensure the convocation by the Council of Foreign Ministers of a Peace Conference for the consideration of the treaties with Germany's former satellites. The Generalissimo had in particular expressed the view that certain of the lesser Allied countries should take part in the preliminary peace discussions and that others should be excluded.

2. In the view moreover of the Generalissimo the lesser Allied countries taking part in the peace discussions could be invited to state their views and the peace treaties themselves would be finally decided by the powers contemplated at Potsdam, i.e. Great Britain and the Soviet Union in the case of Finland; the United States, Great Britain and the Soviet Union in the case of the Balkan peace treaties; and the United States, Great Britain, the Soviet Union and France in the case of the Italian peace treaty.

3. Mr. Bevin wishes Mr. Byrnes to know that he feels the following misgivings about these counter-proposals of Generalissimo Stalin:—

(a) In general it seems to Mr. Bevin a mistake to limit the number of countries who would be invited to attend the proposed conference. The countries who do not receive an invitation will resent their exclusion and once the stage of a conference has been reached numbers should not in his view present serious inconvenience.

(b) It is not clear on what principle Stalin has based his list but one can surmise that his idea is to restrict the conference to countries which had actively fought against or been invaded by the enemy powers in question. If this is correct, the differentiation is not applied logically, as India, whose forces played an important part in the defeat of Italy, certainly deserves an invitation. The omission of South Africa from the list is, Mr. Bevin assumes, pure accident.

(c) Mr. Bevin greatly dislikes Stalin's suggestion that the lesser Allied Governments attending the conference "could be invited to state their views and that the Peace Treaty would be finally decided by the Powers contemplated at Potsdam." This implies that the lesser Allied Governments would only be allowed to state their views and would take no effective part in the discussion or formulation of the final peace terms. This in the opinion of Mr. Bevin is entirely wrong. If these Allied Governments are to be called into consultation there must be full and frank discussion with them and the final terms should be agreed in detail with them.

4. The suggestion that the final decision will rest with the Potsdam powers is objectionable on two counts; first, the implication of the Great Powers' dictation; second, it goes far beyond the Potsdam agreement which spoke only of drawing up peace terms, and contains no justification for the view that the Great Powers, and still less only

those Great Powers which were signatory to the armistices, should also settle the final terms. On the contrary, it was clearly stated in the Potsdam agreement that once the Council of Foreign Ministers had drawn up the draft treaties these would be submitted to the United Nations with whom the final approval implicitly would rest. This would seem to Mr. Bevin the correct and sensible arrangement, because all the United Nations who are at war with each enemy power must be signatory to the treaty if the state of war is to be brought to an end, and they will clearly not agree to sign the treaty unless they have a chance of seeing the terms in advance and formally concurring in them.

WASHINGTON, 12 November, 1945.

740.00119 Council/11-2345 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, November 23, 1945—noon.

2382. Please deliver following message immediately to Molotov.

"As you will recall it was decided at the Crimea Conference that the Foreign Secretaries of the Three Powers represented there would hold regular consultations, probably meeting every three or four months.²² That was in February.

In May the Foreign Secretaries were able to consult together when the three of them were at San Francisco for the United Nations Conference. In July similar consultations took place at Berlin, when the heads of the three governments met there, and in September at London during the Conference of the Foreign Ministers.

At Berlin it was agreed that the establishment of the Council of Foreign Ministers should be without prejudice to the Agreement of the Crimea Conference that there should be periodical consultation between Foreign Secretaries of the Three Powers.²³

It will soon be three months since we met in London on September 11. Therefore I suggest that the next meeting be held on Tuesday, December 11.

Under the Crimea Agreement in fixing the place of meetings for the Three Foreign Secretaries, we are to rotate between the three countries. As the Foreign Secretaries have met at San Francisco and at London, I suggest that the December meeting be held in Moscow. If this is agreeable to you and the date is satisfactory I will communicate with Mr. Bevin and ascertain his views."

BYRNES

²² See section VIII of the Report of the Crimea Conference, February 11, 1945, *Foreign Relations*, The Conferences at Malta and Yalta, 1945, p. 974.

²³ See section II of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, vol. II, p. 1500.

740.00119 Council/11-2445: Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, November 24, 1945—1 p. m.
[Received November 24—7: 15 a. m.]

3945. Late last night I delivered to Molotov personally your message to him received via Army channels. He was obviously much pleased at your suggestion and said that the idea appealed to him personally, though he would of course have to consult his Govt. He commented "it is a good thing that Mr. Byrnes recalled that the three of us could meet independently", and added that he was most anxious to know what subjects you had in mind discussing. I told him I had no specific information but I assumed all open questions between us, mentioning the arranging for another meeting of the Foreign Ministers Council, Far Eastern questions, civil strife in China, disturbing developments in Iran, Bulgaria, etc. I said I assumed that each of the three Secretaries might wish to make prior suggestions for the agenda in order that all might be prepared to discuss them but that in addition the meeting would be as usual informal and any one could bring up additional matters that the others were willing to discuss.²⁴

He showed the usual Russian sense of hospitality by emphasizing that he would always welcome you in Moscow. I said I had no doubt you had in mind the fact that people of the world were disturbed over the apparent rift between the three great Allies and that this tension would be relieved by your getting together. I said I knew you had been anxious for some time to come to Moscow and that you had told me in London before the disagreement developed that you hoped an early meeting in Moscow could be arranged. I added that your suggestion was obviously a friendly and timely one and I was glad that he had reacted favorably to it.

May I say that I personally am much pleased by your proposal and feel that it will assist in allaying the unfounded suspicions of the Soviets.

Do you wish me to attempt to find out if Stalin will be in Moscow at that time? Pavlov appeared last night as interpreter having just returned from Sochi. This might indicate that Stalin has or is about to return.

HARRIMAN

²⁴ Telegram 2392, November 24, 10 a.m., to Moscow, informed Ambassador Harriman as follows: "Your statement to Molotov was correct. Views as to subjects should be exchanged prior to meeting but meeting should be informal and discussions not restricted to an agenda. We should avoid appearance of a conference with delegations. The fewer present the greater chance of accomplishment." (740.00119 Council/11-2445)

740.00119 Council/11-2545 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 25, 1945—4 p. m.

10236. For Bevin.²⁵ I have wired Molotov that at the Crimea Conference it was decided that the Foreign Secretaries of the three Governments represented there would hold regular meetings probably every 3 or 4 months. That was February. In May they met at San Francisco for the UNO Conference, in July at Potsdam when the Heads of Government met and in September at London during the Council of Foreign Ministers.

Under the Berlin agreement it was provided that the establishment of the Council of Foreign Ministers should be without prejudice to the agreement that there should be periodical consultations between the Foreign Secretaries of the Three Governments. That it will soon be 3 months since we met in London on September 11th and therefore I suggest that the next meeting be held on Tuesday, December 11th. Under the Crimea agreement in fixing place of meeting we are to rotate. As the Secretaries have met at San Francisco and London the December meeting be held in Moscow.

When I receive his reply will immediately communicate with you by telephone. Know you will realize importance of preventing leak.

BYRNES

740.00119 Council/11-2545

*The People's Commissar for Foreign Affairs of the Soviet Union
(Molotov) to the Secretary of State*²⁶

[Translation]

"You are perfectly right to remind me that at the Crimea Conference it was decided to arrange periodical consultations of Foreign Ministers of the Three Powers and that in Berlin this decision was confirmed. I agree that the next meeting of the three Ministers would be held in Moscow. It would be desirable to exchange, right now, opinions on those questions which will be put on agenda of the conference, which, however, should not prevent from putting, by general consent, some other questions on the agenda.

In view of the fact that a preliminary exchange of opinions concerning the agenda of the conference and preparations for the conference require some time I suggest that the conference of the three

²⁵ Because of his absence from London, this message was not delivered to Bevin until November 26 at 3 p. m.

²⁶ Transmitted to the Secretary of State by Soviet Chargé Novikov under cover of the following note dated November 25: "I have the honor to transmit the following message from People's Commissar for Foreign Affairs of the USSR V. Molotov to you just received from Moscow." A penciled notation on the document indicates receipt at 9:40 p.m. on November 25.

Ministers be fixed for the second part of December, in any case, not earlier than on December 17-19.

[Moscow,] November 25, 1945"

740.00119 Council/11-2645: Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, November 26, 1945—noon.

2394. Personal for Harriman. Advise Molotov I would like to arrive home by 24th and, realizing delays in travel, would appreciate it if he can agree on 15th.²⁷ I have sent message to Bevin asking if that would suit him.²⁸

We will promptly advise as to subjects we would like to discuss but please emphasize that I think meeting should be informal with understanding we will discuss any matters which in the opinion of the three Secretaries affect relations between the Governments.

Advise Molotov that after hearing from Bevin as to date will communicate with him and would like announcement to be made simultaneously in three Capitals.

BYRNES

740.00119 Council/11-2645: Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, November 26, 1945.

[Received November 26—5:35 p. m.]

2298. Personal for Secretary Byrnes. Situation serious. Unilateral action deeply resented by both Bevin and Cabinet. Bevin refuses to talk tonight or to attend conference Moscow. Information on suggested conference received last night by Foreign Office from Clark Kerr²⁹ from Moscow without simultaneous notice to British.³⁰

²⁷ In telegram 3970, November 27, from Moscow, Harriman expressed concern over the Secretary's apparent desire to be home by Christmas. Harriman's message concluded as follows: "... if this meeting develops favorably much might be accomplished in an extra day or two. On the other hand, although I recognize there is some value to you in having a deadline, on balance I am fearful that Molotov may attempt to take advantage of it." (740.00119 Council/11-2745) In telegram 3985, November 28, from Moscow, Harriman reported that Molotov had agreed that the Conference begin on December 15. (740.00119-Council/11-2845)

²⁸ Telegram 10237, November 26, 11 a. m., to London, for Bevin, suggested that the Conference begin December 15, or alternatively, December 17 (740.00119-Council/11-2645).

²⁹ Sir Archibald Clark Kerr, British Ambassador to the Soviet Union.

³⁰ This sentence apparently refers to the fact that the British learned of the American proposal for a meeting of Foreign Ministers from their Embassy in Moscow before the Secretary's message to Bevin (telegram 10236, November 25, to London, p. 580) was delivered to Bevin on the afternoon of November 26.

Bevin realizes that his own party has been seriously critical of his pro-United States position and effort to join with you in forcing recognition of democratic procedures in Eastern European countries. I have persuaded him to come to the Embassy tomorrow at 3:30 London time to talk with you on teletype. I am meeting him tomorrow morning.

WINANT

740.00119 Council/11-2745

Record of Trans-Atlantic Teletype Conference Between the Secretary of State and the British Secretary of State for Foreign Affairs (Bevin) ³¹

WASHINGTON-LONDON, November 27, 1945—10:30 a. m.

[THE SECRETARY OF STATE:] Ernie, I hope that notwithstanding all the problems confronting us that you are all right. I want to talk with you about my message as to meeting in Moscow. Last Friday ³² I recalled that the Berlin agreement provided that the Council of Foreign Ministers should not prevent a continuance of the meetings of Foreign Secretaries of the three governments represented there. While in London, I told Molotov that I hoped our next meeting could be held in Moscow. For many reasons I thought it advisable to meet there, therefore I immediately wired him to ascertain whether he would be willing to act as host to us. It was my thought that I could not well invite you to Moscow without knowing whether it would be agreeable to Molotov to have us come there. On Saturday afternoon I had not heard from him that it would be agreeable to have us there but I determined that I should let you know of my suggestion to him. I wanted to telephone you so that I could not only give you this explanation but also discuss the subject. Early Sunday morning I asked Halifax how to reach you but I was not successful and therefore wired you. On Monday I continued to try to reach you by telephone but could not do so. I simply want you to know my failure to send you a message at the same time I wired Molotov was because at that time I thought it proper that I should first ascertain whether he would be willing to act as our host. As I advised you in one of my messages since Saturday, it is my thought, if we can find it possible to reach an agreement as to a meeting and agree upon a date that the joint release should be agreed upon and issued simultaneously. How do you feel about it?

I agree with the views you have expressed as to the necessity for us exchanging views as to the policies to be discussed. As to Molotov

³¹ This record is printed as it appears in the transcripts of the conversation, with the statements by Mr. Byrnes and Mr. Bevin recorded separately. The changes in speaking from one to the other are not indicated, except by the numbers on the record of what Mr. Bevin said. The record of Mr. Bevin's statements also indicates that Ambassador Winant was present with Mr. Bevin in London.

³² November 23.

being in London in January, it seems to be exceedingly important that before the United Nations Assembly meets you and Molotov and I should have a frank talk on several subjects. First of all I think that you and Mackenzie King³³ and I should agree as to the proposal we are going to make to the Assembly with reference to the atomic bomb.^{33a} When we agree I believe it wise that we should advise Molotov of our proposals. If we do not we are going to risk the success of the first meeting of the Assembly. I hope within a week to submit you what our views are and at the same time will submit them to Canada. You can then submit such views as you have on the subject. It is possible you are already prepared to do so. I hope this is true.

As for France and China, I think that it is entirely proper for us to meet in accordance with the agreement at Potsdam. As a matter of fact, it was Eden and Churchill who insisted that the Foreign Ministers Council should not prevent meeting of the Foreign Secretaries of Britain, the United States and the Soviet Union.

As to the Control Council for Japan, the attitude of the United States Government has not changed but we have as a result of communications with Molotov narrowed the issue and we proposed sending to him a statement which will be our last proposal on the subject. I will send you a copy.

Our attitude as to the Balkan countries has not changed and nothing has occurred that you have not been advised of.

As to the agenda, just as soon as we agree on the date I will forward to you and to Molotov the subjects we wish to have discussed and ask that you likewise suggest the subjects you desire placed on the agenda. At that time I will forward you a statement of our view on the subjects we suggest for the agenda. I repeat that I think it important that the conference should not be as formal as the London Council of Foreign Ministers Conference. My hope is that the three of us can meet to discuss the subject[s] that are now disturbing our relations and that we may have the opportunity of discussing them with Stalin as well as Molotov. It is important that we confer before the United Nations Assembly meets in January.

Of course I cannot furnish you a complete agenda. I will however wire you the subjects I suggest and our views on such subjects so far as it is possible.

The difficulty in conversing over this teletype shows necessity of our talking across the table. Goodbye.

[FOREIGN SECRETARY BEVIN:] I regret that I was not consulted before Mr. Byrnes approached Molotov. Had I been, I could have

³³ W. L. Mackenzie King, Canadian Prime Minister.

^{33a} For documentation on efforts to develop a system of international control of atomic energy, see pp. 1 ff.

avoided difficulties arising. It is almost impossible for me to attend a conference at the time suggested.

2. I have consulted Prime Minister Attlee and we both agree that to have another Foreign Secretaries Conference without adequate preparation would only lead to another failure.

3. Past experience proves this.

4. I have no idea what is to go on the agenda and what solutions you propose for the items you put on the agenda. Therefore I could not be instructed by my Government before I went and I am not prepared to attend a conference again without knowing what my colleague's view is. I suggest we ought to make one resolute and definite effort to secure peace. I realise the urgency but [preparatory?] work will contribute. If you will forward your proposed agenda I will examine it immediately and it may well be that far better work would be accomplished if the deputies examined the agenda and drew up the points of difference and narrow our difficulties.

5. For instance, we are going to start discussing when we meet procedure just where we left it in London, and will we not be there for the eight days proposed in your telegram and just do nothing? There is no indication that Stalin has changed his mind, whereas exchange of views on the agenda first might remove the difficulties.

6. Has the American attitude changed in any way to the Balkan countries? My Government would like to know before they enter the conference.

7. Has your Government's attitude changed with regard to the Control Council for Japan which appears to be the burning point with Russia? You will remember on this point I gave way on my original proposal in order to accommodate and to stand in with you. But where do we stand now? I have no desire to gang up against Russia but in view of the commitments I made to you when in London I think it is only right and proper that I should have now from the United States Government a clear statement as to their policy, and see how far it fits with ours and know exactly what I am expected to decide.

8. Are France and China to be excluded? China is interested in Japan, and France in Germany.

[9.] Molotov will in any case, we hope, be here in London at the beginning of January for the opening of the General Assembly of the United Nations.

If we got to Moscow on 15th or 17th and Russians know that we want to get away before Christmas, it is likely that they will stall till the last moment and then try and force us to come to some agreement before we go so as to avoid another failure. Christmas in Russia isn't until January 6th so they'll be in no hurry themselves.

I would urge you to arrange to let me have a complete agenda and your views referred to in your message before determining the date of

the meeting. I will then consult the Prime Minister and the Cabinet and let you have a firm reply. Meanwhile I am keeping the matter secret.

I would be grateful if you would let Halifax have a copy of the record of this conversation.

With reference to Japan, in view of the fact that I gave way to meet you in London, I should like to see your last proposal before you forward it to Molotov.

You may be sure I will proceed with the study of the problem continuously, but I am not in a position to give you a reply today.

I trust you are well and that all will go well.

740.00119 Council/11-2745: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 27, 1945—6 p. m.

[Received November 27—3:56 p. m.]

12399. Personal to Secretary Byrnes. I am very sorry that I was not able to work out all the things that I know you wanted. I did eliminate anger from interchange.³⁴ Bevin wants to establish three areas under which we accept Monroe Doctrine tradition with good neighbor policy, within which smaller states exercise self-government. He is desperately anxious to talk with you before Moscow Conference. Your sentence in teletype conversation which begins, "the difficulty in conversing over this teletype shows necessity of our talking across the table" gave him confidence that there was possibility of minds meeting. If you would agree to going on to Moscow via London I believe we could get him to agree to a schedule for conference in Moscow. He realizes that success at such a conference is dependent in part upon agreement on agenda. Please advise me because I am sure I could help you in carrying out your program.

WINANT

740.00119 Council/11-2845

*The British Secretary of State for Foreign Affairs (Bevin) to the Secretary of State*³⁵

[LONDON,] November 28, 1945.

I have been thinking over our exchange of views of yesterday.

Anxious as I am to resolve the kind of deadlock that has persisted since the failure of the Council of Foreign Ministers in London I

³⁴ Presumably reference is to the Trans-Atlantic Teletype Conference between the Secretary of State and Foreign Secretary Bevin; see *supra*.

³⁵ This message bears no indication as to the date and manner of delivery to the Secretary, but it appears to be the message which Lord Halifax read to the Secretary during their conversation on November 29; see p. 590.

continue to have misgivings about the way in which you propose to handle it.

I feel very strongly that a Conference is most unlikely to be successful without adequate preparation and especially with a time limit imposed upon us.

As regards procedure we ought, as I suggested to you yesterday, to be very careful.

Further, is it wise after all that has happened to revert to meetings of three only? If Far East questions are on your agenda I do not see how we can exclude China, and France as we know makes all the more trouble about questions in which she feels that she has a direct concern if she has no part in the initial decisions. I know that there was agreement at Yalta about meetings of the Three, but would not such a meeting on the eve of the United Nations Assembly give rise to all the old suspicions and discontent? Had we not better get on to the United Nations basis as soon as possible?

I agree with you that before the meeting of the United Nations, you and we and the Canadian Government should try to reach agreement amongst ourselves in the first place on the method of dealing in the United Nations Organisation with the Washington proposals on atomic energy and should then advise the other permanent members of the Security Council of our proposals. Before our exchange of views yesterday I had already telegraphed Lord Halifax instructing him to put certain suggestions to you on this point. I should hope through ordinary diplomatic channel we might with no great difficulty reach agreement on this. And as the proposals emanate from us it would be well to have agreement and our minds clear before discussing between others.

I had hoped the Assembly of the United Nations would have brought about in the normal course a meeting of Foreign Ministers here and would have afforded us an opportunity of getting together on all questions that cause us difficulty.

During the meeting of the United Nations, if you and Molotov and others were here there should be ample opportunity, as there usually is, for informal discussion without arousing suspicion.

I have talked this over with the Prime Minister (though not with the Cabinet.) We are both anxious to help but anxious not to fail.

I beg you to consider this alternative.

740.00119 Council/11-2945 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*³⁶

WASHINGTON, November 29, 1945—11 a. m.

10352. Personal for Winant. Please deliver following message to Bevin:

"I should suggest the following items for inclusion in the agenda of next meeting of Foreign Secretaries:

"1. The proposal for the establishment of a commission under the United Nations Organization to consider the control of atomic energy in the interest of peace.³⁷

"2. The reconvening of the Council of Foreign Ministers, including provision for the prompt resumption of work by their deputies in the preparation of peace settlements for a peace conference.

"3. The terms of reference of the Allied Council for Japan and of the Far Eastern Commission.

"4. The establishment of an independent government for Korea.

"5. The disarming of Japanese in, and their evacuation from, Northern China.

"6. The transfer of the control of Manchuria to the National Government of China.

"7. The removal of Allied Troops from Iran.

"8. The establishment of conditions which will permit the recognition of the governments of Bulgaria and Rumania.

"9. Such other items as may be added by the common consent of the three governments.

"While I am not unmindful of the common criticism that there was inadequate preparation for the London Conference, I cannot agree that the shortcomings of the Conference were due to insufficient preparatory work. It was always intended that the technical work on the treaties should be prepared by the Deputies and they never got started on their work because of conflicts which in no way were caused by lack of preparation. Events are moving too rapidly to permit the quarterly meeting of Foreign Secretaries which was intended to deal with current problems, to be delayed pending prolonged diplomatic exchanges.

³⁶ In telegram 2435, December 1, 6 p.m., to Moscow, the substance of this message was transmitted to Ambassador Harriman for his information but not for communication to the Soviet Government (740.00119 Council/12-145).

³⁷ For documentation regarding this subject, see pp. 1 ff.

"While our Government is eager to work in closest cooperation with yours, I think you will agree it is not necessary or desirable that we should reach agreement on every detail before discussions with the Soviet Union.

"On the first suggested item for the agenda, there has been an exchange of views between President Truman and Prime Minister Attlee and we hope to talk further with Lord Halifax and Ambassador Pearson⁴³ regarding our common proposal. After such talks we will submit you a memorandum.

"As to the second item, the peace machinery, the compromise proposal I made at London was not rejected by Molotov who merely stated he could not accept it without personal consultation with his Government. In his talks with Harriman, Stalin accepted the peace conference idea, but reserved judgment as to whether there should be one or more peace conferences and differed as to the states to be invited. I am hopeful that my compromise in substance will be accepted. But I do not think that acceptance can be secured until we meet.

"As to the third item, we have kept your Embassy informed of our negotiations with the Soviet Union on the terms of reference for the Allied Council and the Far Eastern Commission and the issues have been narrowed as far as they can be through diplomatic channels.

"As to the fourth item, we are prepared to press for the establishment of an independent Korean government. If that is not acceptable, we would favor a trusteeship under the United Nations for a limited period of time similar to that which we suggested for the Italian colonies.

"Item 5 is inserted so that we can make clear to the Soviets the limited purpose of our military mission in Northern China and to draw from them a statement of their own policy towards developments there.

"Similarly item 6 is intended to secure a reaffirmation from the Soviets of Soviet policy under the recent Sino-Soviet Agreement.⁴⁴

"As to item 7 you are fully informed with regard to our views as to the desirability of having all Allied troops promptly withdrawn from Iran.

"The inclusion of item 8 will naturally depend on the consent of the Soviets. If they consent, I should think that that would be some evi-

⁴³ Lester Pearson, Canadian Ambassador in the United States.

⁴⁴ Presumably reference here is to the Agreement of August 14, 1945, between the Soviet Union and China regarding relations between the Soviet Commander in Chief and the Chinese administration following the entry of Soviet forces into the territory of the "Three Eastern Provinces" of China in connection with military operations against Japan; for text, see United Nations Treaty Series, vol. 10, p. 331; Department of State *Bulletin*, February 10, 1946, p. 206; or Department of State, Far Eastern Series No. 30; *United States Relations with China* (Washington, Government Printing Office, 1949), p. 592.

dence of their willingness to reach some compromise. While I wish to talk with Ethridge ⁴⁵ before I make any definite proposals, I wish to press for a reasonable broadening of the base of the present governments to include responsible leaders of the principal peasant parties with a promise of free elections as soon as foreign troops are withdrawn.

"Molotov has agreed to December 15 as the date of the meeting. Please let me know whether you agree. If so please state time you suggest for simultaneous announcement from the three capitals.[""]

BYRNES

740.00119 Council/11-2945 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 29, 1945—9 p .m.

[Received November 29—4: 50 p. m.]

12505. Personal to Secretary Byrnes. Bevin's message to you forwarded today via British Embassy Washington was despatched before your teletype message (10352, Nov 29) reached London this evening.

There has been some confusion here because of a Reuters despatch which was flashed through at about 5 o'clock this evening London time to the effect that President Truman in a press conference ⁴⁶ said he did not favor a further meeting of the representatives of the three powers but hoped that world problems could be settled through United Nations Organization which he believed could be established within 90 days.

Would you please cable me his exact statement as there is some question in the Foreign Office as to whether the reference included meetings of the Foreign Ministers.

Bevin told me Tuesday ⁴⁷ night that he had not put your proposals before the full Cabinet. He has tried to limit his conversations to ensure secrecy. Your teletype message of Tuesday he took up with Attlee alone.

⁴⁵ Mark Ethridge of the *Louisville Courier Journal* was serving as special representative of the Secretary of State to investigate conditions in the Balkans preparatory to the recognition of the governments of Rumania and Bulgaria. For Ethridge's final reports on his missions to Bulgaria and Rumania during October and November 1945, see his memorandum dated December 7, and his letter to the Secretary of State dated December 8, vol. v, pp. 633 and 638, respectively.

⁴⁶ Reference here is to the President's news conference of November 29, 1945; for text, see *Public Papers of the Presidents of the United States*: Harry S. Truman, 1945, pp. 504-514.

⁴⁷ November 27.

Bevin has asked me to meet him tomorrow to discuss your last message. Any suggestions you could send me would be very much appreciated.

WINANT

811.2423/11-2945

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] November 29, 1945.

Lord Halifax handed the Secretary an *Aide-Mémoire*⁴⁸ on Atomic Energy and the procedure for bringing the proposal for the Commission before the General Assembly of the UNO.

The Secretary said this is one of the matters he would like to talk with Bevin about. The Secretary said he is convinced it would be wise to advise Molotov of what they are considering, otherwise when the matter is presented to the UNO the Russians may not agree to it. The Secretary showed to Lord Halifax a copy of a telegram he had sent to London this morning for Bevin suggesting that the matter be considered at next meeting of the Foreign Secretaries.

The Ambassador pointed out that in the *Aide-Mémoire* Bevin set out three plans for putting the matter before the Assembly. He said his Government wishes to make every effort to secure the cooperation of the Soviet Government and inquired whether the Secretary had received any reaction from Moscow to the message transmitting the statement of Nov. 15.

The Secretary replied that he had not.

The Ambassador wondered whether the Secretary would consider inquiring of Harriman whether the Soviet Government would cooperate in putting the proposal before the UNO, to which the Secretary replied that if the three were to meet, Molotov could be informed so that he would be prepared to discuss it.

The Secretary said that if Mr. Bevin did not wish to go to such a meeting, we would have to change our thinking.

The Ambassador then read to the Secretary a message on this matter from Bevin⁴⁹ suggesting that the five Foreign Ministers meet in London while the UNO Assembly is in session.

The Secretary said he had thought of that, but by going to Moscow (1) he had hoped to have an opportunity to obtain Stalin's views, and (2) it is important to have an opportunity to discuss certain matters before the meeting of the General Assembly in January. The Secretary said he felt the atomic energy matter should be discussed with the Russians before it is presented to UNO, or it will have little chance of getting their approval.

⁴⁸ Dated November 29, p. 77.

⁴⁹ Presumably the reference here is to the message of November 28, p. 585.

The Secretary mentioned that it might be possible to have the Foreign Secretaries meet in London just prior to the General Assembly meeting for informal discussions. The Secretary pointed out, regarding a Moscow meeting, that this would be to carry out an agreement; that the Foreign Secretaries had met in San Francisco in April, at Potsdam in July, London in September, and that they would merely be meeting informally to consider whatever matters were open for negotiation and adjustment, in accordance with the agreement that they would meet every three or four months.

Lord Halifax pointed out that it would be risky to meet without France and China without assurance of coming out with agreement, and that if the meeting were held in London prior to UNO and [any?] sting which might result from failure to reach agreement would be lost in the interest in UNO.

The Secretary stated there was likely to be an advantage in the attitude of Molotov toward a meeting in Moscow—that he would be more pliable as a host and might consider it important that the other two Secretaries would take the trouble to come to Moscow. Lord Halifax thought it would be well to obtain the views of Clark Kerr and Harriman on this, but was inclined to agree with the Secretary.

The Secretary inquired what would be the effect of not going to Moscow after Molotov has agreed, to which Lord Halifax replied “You’ve got us in a bit of a hole.” The Secretary stated he could not have been so presumptuous as to invite himself and his friends too to go to Moscow, and that it would not have looked good to the Soviets for the U.S. and British to jointly propose such a meeting. He said he had informed Bevin of his proposal to Molotov just the day after he telegraphed Moscow, before he had received Molotov’s reply.

The Secretary said he would consider Bevin’s message.

740.00119 Council/11-3045: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 30, 1945—6 p. m.

[Received November 30—3 p. m.]

12525. Personal to the Secretary. This noon Bevin asked me to meet him at the Foreign Office. Cadogan⁵⁰ was present. In going over your message 10352 of November 29, which I forwarded to him last night, he stated he realized that this message had crossed his message⁵¹ forwarded through Halifax the day before but he had by then

⁵⁰ Sir Alexander Cadogan, Permanent Under Secretary of State in the British Foreign Office.

⁵¹ Apparently reference is to Bevin’s message of November 28 to the Secretary of State, p. 585.

received Halifax's report of your conversation with him of last night.⁵² He also told me that the suggested conference at Moscow had been twice discussed with the Cabinet as well as with the Prime Minister personally. Bevin and Cadogan were both doubtful of the wisdom of a meeting of the three Secretaries of State in Moscow. Our interchange ended in their giving me an *aide-mémoire* which I am quoting verbatim. I have had no reply to my message to you which I forwarded last night (Emby's 12509 [12505?] Nov 29).

The *aide-mémoire* reads as follows:

"The statement made yesterday by President Truman,⁵³ if correctly reported, is rather bewildering. He is reported to have said that probably no further big three meeting would be required. He wished to see the United Nations organ, now being formed, take over and do its job. He was not in favor of special conferences and never had been.

"I cannot understand how Mr. Byrnes' proposal for a big three meeting in Moscow can be reconciled with this.

"In regard to Mr. Byrnes' agenda, I would observe that point 1 relates to the proposal for the establishment of a commission under the United Nations organ to consider the control of atomic energy. Seeing that this relates to the United Nations organ I am doubtful whether discussion of this subject could be confined to the three. I cannot understand how points 3, 4, 5 and 6 could be discussed without China, and if China is included I am sure it would be impossible to exclude France.

"In general, I am still not clear as to the nature of the meeting proposed by Mr. Byrnes. Is it to be an exploratory exchange of views or is it to endeavor to arrive at firm conclusions?

"I must emphasize that after President Truman's statement in the form in which it has been made public here, the announcement of a meeting of three or five in the near future in Moscow would produce complete bewilderment both in Parliament and in the public here.

"30th Nov 1945."

WINANT

740.00119 Council/12-345 : Telegram

The Secretary of State to the Ambassador in the United Kingdom
(Winant)

WASHINGTON, December 3, 1945—11 a. m.

10451. Reference your 12525, November 30. President's remarks at Press Conference as to "meetings of Big Three" had reference only to meetings of Prime Minister, Stalin and the President. It is generally understood here that "Big Three" refers not to countries but to the heads of the three governments.

⁵² See the memorandum, *supra*.

⁵³ See footnote 46, p. 589.

I still think it important that we should confer with Molotov about the atomic bomb before our proposal is presented to the United Nations Assembly. After the three Foreign Ministers have conferred, we can also present the proposal to France and China.

As to the suggestion that we cannot discuss Far Eastern affairs in the absence of China, we have been negotiating with Russia as to the Far Eastern Commission. China is aware of it and does not object. I am satisfied China would welcome any progress in our relations with Russia which affect China.

We would make plain before the meeting that it was exploratory, that the purpose of such meetings as originally proposed was to enable us to exchange views as to current problems.

I do hope that Bevin can promptly secure agreement to our meeting at Moscow on December 15.⁵⁴

BYRNES

740.00119 Council/12-445

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] December 4, 1945.

Mr. Wright ⁵⁵ called to see the Secretary at 7:30 p. m. Lord Halifax had requested an appointment earlier in the afternoon, but was unable to come at this hour as he was seeing the President at 9 p. m. Mr. Wright expressed apologies for Lord Halifax's inability to come.

Mr. Wright said they had received an urgent message from Mr. Bevin regarding the proposed meeting in Moscow. He said Mr. Bevin feels very reluctant and that they could hardly afford to have a meeting in Moscow which would be a failure, for this would leave them in a worse position than at present. He said Bevin was doubtful about preparation for the meeting and feels it might do more harm than good. Also, as regards the atomic bomb, Bevin does not see how this matter can be discussed with Molotov when agreement has not been reached between the US, British and Canadians as to what they will present to UNO. Further, it is not clear to Bevin what is in the minds of the US people to discuss; he doesn't see how we can leave out China and if we bring in China we cannot leave out France,

⁵⁴ In telegram 12677, December 4, 2 p. m., from London, Ambassador Winant reported that he had outlined the Secretary's position to Bevin who would communicate with the Secretary through Ambassador Halifax. Telegram 10494, December 4, to London, replied that Halifax had not heard from Bevin, that the Secretary was embarrassed over the delay and asked that Bevin be urged to communicate with the Secretary as soon as possible. In response, telegram 12700, December 4, from London, reported that Bevin's reply had already been sent by Bevin to Halifax. (740.00119 Council/12-445)

⁵⁵ Michael Wright, British Minister.

as the French are already suspicious; and finally, Bevin was not certain what the President meant by "no more three-power meetings."

The Secretary said he had informed Bevin of the reasons why he felt a meeting would be helpful at this time.

As regards the President's remarks, the Secretary told Mr. Wright that in answer to a question at an informal press conference as to whether there was any plan to hold a Big Three meeting, the President [replied] that there was no such intention—the only normal and correct answer. The Secretary remarked that in this country "Big Three" has always meant the heads of the three governments—not the countries, and that at Yalta and again at Potsdam the Foreign Secretaries were referred to as "The Little Three".

As to the inclusion of China, the Secretary stated that we are at present communicating with the Soviet regarding matters affecting China and that we have not felt that China should be advised at every stage of the negotiations; they have not asked it and do not expect it. China's greatest hope lies in the possibility of agreement between the US, Great Britain and the Soviet Union, and therefore China would not offer complaint. That being true, there would be no reason for including France.

The Secretary stated that it was the wishes of Churchill and Eden that the three secretaries should meet every three months and they proposed it at Yalta. Then at Potsdam, after the Council of Foreign Ministers had been set up, it was argued that the Council should not cause the discontinuance of the meetings of the three, and a statement to this effect was put into the Potsdam Protocol. The purpose of such meetings, as agreed to at Yalta, is to keep up contact between the three governments and discuss informally in an exploratory way matters open for settlement. It is to be a current meeting, not a conference of the heads of governments—and it is more important now than ever before.

As to harm being done by failure to agree, the Secretary stated that if they were not discussed prior to UNO they would endanger the success of that organization. The Secretary said he would not expect that agreement could be reached on all the items open for discussion, but that agreement on one or two would be progress and would make such a meeting worthwhile.

The Secretary told Mr. Wright that there is no doubt in his mind but that agreement on the atomic energy proposal between the US, Canada and the British will be reached in a few days, that there are no differences between us and it is merely a matter of implementing the statement already agreed to by the heads of the three Governments. A meeting was just held this afternoon, the Secretary stated, and there

didn't seem to be any differences between us. He said he hoped to tell Russia what we propose to present to UNO and thereby try to save UNO from the failure that would probably result from the group action being presented without the Russians having been informed.

Mr. Wright stated that there is another point which Mr. Bevin mentioned in his message—he has learned from Clark-Kerr that Stalin is not expected to return to Moscow before the end of December and Bevin feels that if Stalin were to be in Moscow there would be stronger reason for meeting there. Bevin hopes the Secretary will agree that talks be held between the three Secretaries in London prior to UNO in January.

The Secretary said that both he and the President felt that the Russians should be advised, and that it is our intention to advise them of the atomic bomb proposal prior to UNO. The Secretary said he sincerely regretted that Bevin has not agreed to his proposal to go to Moscow and that he is embarrassed now over the delay in answering Molotov and feels that he must not delay longer.

Mr. Wright said it is not clear in Mr. Bevin's mind what the Secretary would expect to discuss in Moscow and what it would expect to achieve.

The Secretary told Mr. Wright he had sent Bevin an itemized statement of the nine subjects he would like to discuss, but that it was his thought that the discussion should not be limited to those items, that any question any one of the three wished to bring up should be discussed. No statement can be made that, for the meeting to be a success, agreement must be reached on all items; that if agreement were reached on two of the nine problems it would be a forward step the world would be delighted to know about. If a meeting is never held, we will never know what might have been agreed to. The Secretary said he would hope to tell to the press the facts about the meeting, that it was an exploratory, informal meeting; that the three Governments should maintain close friendly relations in peace as in war.

The Secretary stated he will be disappointed if Mr. Bevin does not agree to go, but that he intends to go to Moscow, because he approached Molotov about such a meeting, believing in the Yalta Agreement, and he must go. He said he has asked Winant to advise Bevin of his embarrassment and ask for his early answer.

Mr. Wright inquired as to the probable length of the meeting and the Secretary stated that no limit has been stated, but that he would hope, as he advised Molotov, to be back by the 25th, but that if for any reason it was necessary to stay longer he would not hesitate to do so. He would expect to be there by the 15th.

740.00119 Council/12-645: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, December 6, 1945—3 p. m.

10582. Personal for Winant. Please convey following message to Bevin: ⁵⁶

"We plan to release the following statement to the press Friday, December 7, 10 a. m., Washington time:

'A meeting of the Foreign Secretaries of Great Britain, the Soviet Union and the United States has been arranged to take place in Moscow December 15. This meeting has been called in accordance with the decision taken at the Yalta Conference providing for quarterly conferences of the Three Foreign Secretaries. The meeting will provide an opportunity for the British and American Governments to exchange views with the Soviet Government on the subject of the control of atomic energy. It will also provide opportunity for informal and exploratory discussion of other matters of current interest and concern to the three countries.'

"We hope that a simultaneous release substantially along these lines may be made at London and Moscow. We suggest the foregoing form of release to avoid any undue expectations in advance as to the results of the conference, although it is not our intention to confine the discussions to atomic energy but to include the other points we have tentatively proposed for inclusion in the agenda. While we hope differences in the form of release in the three capitals will not be so great as to provoke public discussion, the exact form of the release may be so shaped by each government as to meet its particular problems.

"In order to meet your desire to omit matters of concern to the French Government from the agenda we are ready to agree that questions affecting Germany should not be discussed. We think it important, however, that there should be exploratory conversations on the resumption of the work of the Council of Foreign Ministers, but no definite decision should be made without communication with France and China. We are communicating our proposed agenda as a purely American proposal to Molotov with the statement that it is of course understood that the other two Governments propose their own suggested lists of items with the final agenda to be drawn up by mutual agreement when the three Foreign Secretaries meet in Moscow."

BYRNES

⁵⁶ An identical message for Molotov, with the exception of the final paragraph, which was omitted, was sent to Moscow in telegram 2460, December 6, 3 p. m. The message was communicated to Molotov by Ambassador Harriman in a letter dated December 7, and Molotov replied in a letter of the same date which agreed that identical statements should be released in the three capitals but proposed that the last two sentences in the proposed American statement be combined. For text of the revised statement as ultimately released to the press at 8 p. m., December 7, see Department of State *Bulletin*, December 9, 1945, p. 935.

740.00119 Council/12-645 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, December 6, 1945—4 p. m.

2461. Personal for Harriman. Please convey to Molotov as the suggested U.S. agenda the eight items listed in mytel 2435, December 1, 6 p. m.⁵⁷ You should also inform him that it is of course understood that the other two Governments will propose their own suggested list of items and that the final agenda will be drawn up by mutual agreement between the three. In view of the shortness of time it is expected that the final agenda will not be agreed upon until the Foreign Secretaries meet in Moscow.

Tentative date for departure is December 12. It will be most helpful if you could obtain from Molotov the items which the Soviet Government desires to suggest for inclusion in the agenda. I shall wire you shortly regarding our exact plans and the other members of the party.

BYRNES

740.00119 Council/12-645

The British Ambassador (Halifax) to the Secretary of State

WASHINGTON, December 6, 1945.

MY DEAR SECRETARY OF STATE: Mr. Bevin has asked me to tell you that in deference to your strong views, he is prepared to agree to go with you to Moscow on the understanding that it is to be an exploratory conference the object of which will be to ascertain and examine the difficulties between the Three Great Powers before the United Nations Assembly meets.

At the same time Mr. Bevin hopes you will consider the following points:—

(a) Should we not tell the Soviet Government and also announce to the world that one of the main objects of the meeting is to enable the United States Government and His Majesty's Government to exchange views with the Soviet Government on the subject of the control of atomic energy? Mr. Bevin notes that this subject appears as Item 1 on your proposed agenda.

(b) Mr. Bevin could not agree to discuss in Moscow matters of concern to the French Government in the absence of French representatives. He considers that the two main questions of concern to the French are:

⁵⁷ Not printed; it repeated the substance of telegram 10352, November 29, to London, p. 587, including the eight items suggested for inclusion in the agenda of the meeting of Foreign Ministers.

(1) Questions affecting Germany. Mr. Bevin notes that these do not figure in your proposed agenda and he assumes that you agree that they should not be discussed in Moscow.

(2) The question of reconvening the Council of Foreign Ministers. Mr. Bevin feels that if this subject were discussed in Moscow we should soon get ourselves involved in questions which we have agreed cannot be discussed in the absence of the French, and we should thus be manoeuvred into giving away the position adopted at the Meeting of Foreign Ministers in London. Mr. Bevin therefore hopes that you will agree to take this subject off the agenda. He adds that it may be that if the Moscow discussions are fruitful we shall be able at the end of them to approach the question of arrangements for the resumption of the Foreign Ministers' Council without incurring the danger he has mentioned, but he does not think that there should be any discussion of this particular topic with the Soviet Government at the outset.

(c) Mr. Bevin hopes that the United States Government will join with His Majesty's Government in giving an assurance to the French Government before any announcement of the forthcoming meeting is made that the United States Government, like His Majesty's Government, do not propose to discuss in Moscow any matters of concern to the French Government. If the United States Government does not feel able to join His Majesty's Government in giving such an assurance to the French Government, Mr. Bevin feels that in any case he must tell the French Government that for his part he will not discuss such matters in Moscow in their absence.

(d) Mr. Bevin is very glad that you are prepared, if necessary, to stay for some time in Moscow, but points out that there will in fact be an automatic time limit on the meeting since the General Assembly of the United Nations is due to meet in London in the first week of January. He feels it would be most unfortunate if the Assembly were to open while the Foreign Secretaries of the Three Great Powers were still sitting in Moscow. It seems to him, therefore, that the Moscow discussions could not continue much beyond the end of December. This being so, it is all the more important to keep them on an exploratory basis. Moreover, Mr. Bevin hopes that in view of our willingness to go to Moscow, Mr. Molotov himself will be willing to come to London for the General Assembly. He wonders whether you would put this point to Mr. Molotov when you communicate with him. Mr. Bevin naturally hopes that you yourself will attend the General Assembly in London.

Mr. Bevin also asks me to consult you about the terms of the announcement of the conference, to which he would like to give careful consideration from the point of view of British public opinion. He suggests for your consideration something on the lines of the attached draft statement. As regards the timing, he asks me to say that he attaches particular importance to making a communication to the French Government before any public statement is made.

Believe me [etc.]

HALIFAX

[Enclosure]

*Draft Statement Proposed by the British Secretary of State for
Foreign Affairs (Bevin)*

The Governments of the United States, U.S.S.R. and the United Kingdom have come to the conclusion that it would be useful if the three Foreign Secretaries, who have been in constant touch, were to meet for an exchange of views and exploratory discussions before the meeting of the General Assembly of the United Nations which is due to begin early in January.

It was agreed between the three Governments at the Crimea Conference and reaffirmed at the Berlin Conference that there should be such periodic consultations between the Foreign Secretaries of the three Governments, and since the last occasion on which they met was in London and prior to that in San Francisco, it has been agreed that their forthcoming meeting shall take place in Moscow.

The meeting will also afford an opportunity to the United States Government to have an exchange of views with the Soviet Government on the subject of control of atomic energy.

Moscow Embassy Files : 500 Foreign Ministers Meeting—Moscow

*The American Ambassador in the Soviet Union (Harriman) to the
People's Commissar for Foreign Affairs of the Soviet Union
(Molotov)*

Moscow, December 7, 1945.

DEAR MR. MOLOTOV: Mr. Byrnes proposes the following items for the agenda of the forthcoming meeting of the three Foreign Ministers:

1. Consideration of the proposal for a United Nations Commission to consider the control of atomic energy.
2. The question of reconvening the Council of Foreign Ministers including resumption of work by their deputies in the preparation of settlements for a peace conference.
3. Terms of reference of the Allied Council and of the Far Eastern Commission.
4. The establishment of an independent Korean Government.
5. The disarming of the Japanese armed forces in northern China and their evacuation to Japan.
6. The transfer of control of Manchuria to the National Government of China.
7. The withdrawal of Allied troops from Iran.
8. The conditions which would permit recognizing the Governments of Rumania and Bulgaria.

You will note that except for the addition of atomic energy the topics are substantially the same as those I mentioned to you as possible matters for discussion on November 24th.⁵⁹

Mr. Byrnes hopes that both the British and Soviet Governments will each propose items for the agenda and suggests that the final agenda be drawn up by mutual agreement between the three Foreign Ministers when they meet in Moscow. He has asked me to explain to you that it would be most helpful if he could obtain from you as soon as possible the items which the Soviet Government desires to propose for inclusion on the agenda.

Mr. Byrnes has tentatively set December 12 as the date of his departure from Washington. I expect to be able to inform you shortly regarding Mr. Byrnes' precise plans and the names of the other members of his party.

Is there any further information which you wish me to obtain for you at this time?

Sincerely yours,

[W. A. HARRIMAN]

Moscow Embassy Files : 500 Foreign Ministers Meeting—Moscow

*The People's Commissar for Foreign Affairs of the Soviet Union
(Molotov) to the American Ambassador in the Soviet Union
(Harriman)*

[Translation]

Moscow, December 7, 1945.

DEAR MR. AMBASSADOR: With respect to Mr. Byrnes' proposal regarding the agenda for the forthcoming meeting of the three Foreign Secretaries I can inform you that the Soviet Government agrees with this proposal, but, on its part, introduces the following proposals.

It is suggested after point 5 in your letter ⁶⁰ (the disarming of the Japanese armed forces in northern China and their evacuation to Japan) to include on the agenda the two following questions: Firstly, concerning the withdrawal of United States forces from China and, secondly, concerning the withdrawal of British forces from Greece. In addition, the Soviet Government suggests that the first point of the agenda set forth by you be transferred to the end of the agenda. The Soviet Government also agrees with Mr. Byrnes' proposal that the final agenda should be drawn up by mutual agreement among the Three Ministers when they meet in Moscow.

⁵⁹ Ambassador Harriman's meeting with Molotov on the evening of November 24 was reported in telegram 3945, November 24, from Moscow, p. 579.

⁶⁰ Reference is to the letter of December 7, *supra*.

I also hope that when we meet personally I will be able to receive from you certain clarifications on various points of the agenda communicated by you.

Sincerely yours,

V. M. Molotov

740.00119 Council/12-745

*Memorandum by the Secretary of State of a Conversation With the French Ambassador (Bonnet)*⁶¹

[WASHINGTON,] December 7, 1945.

The Secretary telephoned the Ambassador at 6:30 p. m. and requested him to come to the Department. The Secretary apologized for having troubled the Ambassador to come down at 9 o'clock in the morning, at which time he was unable to discuss the matter he had intended to discuss with him. The Secretary remarked that the Ambassador had no doubt by this time received news of the subject, as there had been a misunderstanding about the time of release and the ticker carried the news from London.

The Secretary told the Ambassador he would recall that at Yalta it had been agreed that the three Foreign Ministers would meet every three or four months to discuss current matters in an informal way. They had met in Washington prior to the San Francisco Conference and while at San Francisco, they met at Potsdam in July, again in September at London, and three months had passed since September, so he (the Secretary) had proposed that they meet in Moscow. They would meet on the 15th of December and particularly they would discuss the Atomic Bomb, also the Far Eastern Commission and other matters in the Pacific which are now pending.

The Secretary told the Ambassador he had not received Bevin's agreement until yesterday as to the date, and that he had hoped to have released the news this morning, but there was a slight change in the announcement⁶² which caused the delay.

The Secretary told the Ambassador he had learned from the ticker news that the Foreign Office in London had advised the French representative there of the plans to meet.

⁶¹ The substance of this conversation was reported in telegram 5770, December 11, to Paris (740.00119 Council/12-1145). A similar conversation was held by the Secretary with the Chinese Ambassador, Wei-Tao-ming. The memorandum of this conversation states that the Ambassador commented that it was very important to have such a meeting as announced and bring harmony on certain questions. He wished the Secretary all success on the forthcoming meeting. (740.00119 Council/12-745)

⁶² For the statement regarding the forthcoming meeting of Foreign Secretaries in Moscow, released to the press on December 7, see Department of State *Bulletin*, December 9, 1945, p. 935.

The Secretary said the British are not in favor of discussing at the meeting any matters affecting France, and he believes that will be agreed to.⁶³ The Secretary said there is a question as to whether the peace conference will be discussed. The Secretary recalled his proposal at the Council of Foreign Ministers and said he still hoped the Soviets might change their views. Of course, if this were discussed in Moscow, it would have to be discussed further later. Particularly it was felt that the atomic bomb should be discussed prior to the opening of the UNO, and this is the subject stated in the announcement.

The Ambassador thanked the Secretary for informing him of the meeting and inquired if the announcement would be made this evening, to which the Secretary replied in the affirmative. The Ambassador said he noticed in the news, which came from London, that the German question was mentioned as one of the subjects for discussion at the meeting.

The Secretary replied that this is one of the subjects there is no agreement to discuss, that it is proposed that no matters affecting France and China be discussed without first communicating with them, and this has been agreed to by him and Mr. Bevin. The only reservation he wished to make, the Secretary said, was that he hoped to make some progress on the matter of the peace conference, and one might say that this would affect France, but it would also affect a lot of other nations not represented at the meeting. It is his hope, the Secretary said, that by discussing this matter and reaching some agreement the Council of Foreign Ministers can again meet.

The Ambassador said that his Government had hoped that when future meetings of the Foreign Secretaries were held they would include France and China—the permanent members of the Security Council of UNO. He has had no reaction as yet from his Government on the Moscow meeting, but feels sure they will not be pleased.

The Secretary pointed out that agreement between the US and the Soviet on certain matters would mean progress for other nations also.

The Ambassador inquired if the Secretary saw any possibility of inviting Bidault, that this would be the best solution so far as France is concerned.

The Secretary replied that this is the solution he would like, but that, unfortunately, he saw no such possibility.

⁶³ Telegram 13050, December 12, 1945, 9 p. m., from London, reported information from the British Foreign Office that the French reaction to the Moscow Conference had been comparatively mild; Foreign Secretary Bevin's assurance that the British Government would not commit itself on matters of concern to France had been communicated to Foreign Minister Bidault and had a mollifying effect; from the British point of view, it would have been preferable if some formula could have been devised to include France (740.00119 Council/12-1245).

740.00119 Council/12-845 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, December 8, 1945—noon.

2477. Personal for Harriman. Please inform Molotov that I am pleased with his agreement with our proposals regarding the agenda for the meeting of the Foreign Secretaries.

On our part we would have no objection to the transfer of our first point on the agenda—that relating to atomic energy—to the end.

It would be difficult for us to arrive at any definite understanding regarding our troops in China in the absence of representatives of the Government of China. If satisfactory to you and Mr. Bevin, we should be glad, however, to have an informal exchange of views on the withdrawal of allied troops from all independent states other than Japan and Germany.

It is understood, of course, that the final agenda will be drawn up by mutual agreement when we meet.

BYRNES

740.00119 Council/12-845 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)* ⁶⁴

WASHINGTON, December 8, 1945—noon.

2478. Personal for Harriman. Please deliver the following message from President Truman to Stalin:

"In approving Mr. Byrnes' suggestion to Mr. Molotov that a meeting of the three Foreign Secretaries be convened before the close of the year, I was not unmindful of the view that no meeting should be held until there was greater assurance of progress toward agreement on outstanding questions. But I felt that at this critical time continued drift and delay would be exceedingly unwise.

"I sincerely hope that you will cooperate with me to make the meeting a success and to give renewed assurance of the ability of the great powers to work together.

"I wish very much to have Mr. Byrnes convey to you a personal message from me. I earnestly hope that you will be able to see and talk frankly with him at an early date while he is in Moscow. Please let me know whether this will be possible."

BYRNES

⁶⁴ File copy bears the marginal endorsement "OK HST" in the President's handwriting.

740.00119 Council/12-845: Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, December 8, 1945—noon.

2479. Personal from the Secretary. I expect to leave Washington on the morning of December 12. Will arrive in Moscow either evening of 14th or certainly morning of 15th.⁶⁵ I presume we will proceed via Berlin where the Soviet navigator and radio operator will be picked up. The Army is handling all arrangements and will communicate exact time and other details. I shall be accompanied by Mr. Cohen,⁶⁶ Mr. Freeman Matthews,⁶⁷ Mr. John Carter Vincent,⁶⁸ Mr. Bohlen⁶⁹ and Colonel Hugh Kelly.⁷⁰ There may be one or two additions to the party whose names will be immediately communicated to you.⁷¹ Please ask the Soviet Foreign Office to give Embassy here blanket authorization to issue necessary visas to members of our party.

As I wish to keep the party as small as possible, please let me know urgently if Embassy can handle question of stenographers or if it is necessary for me to bring stenographic personnel and, if so, how many.

BYRNES

740.00119 Council/12-845: Telegram

*The Ambassador in the Soviet Union (Harriman) to the Secretary
of State*

Moscow, December 8, 1945—10 p. m.

[Received December 8—4:44 p. m.]

4104. In my talk with Molotov this afternoon he expressed himself as entirely satisfied with release and timing of it and hoped that you were equally satisfied.⁷² He asked whether he should invite Mr. Bevin or whether you in your discussions with Bevin had already covered this point. This led to discussion of what Molotov described as the lapse of over a week in your correspondence with him. I explained to him Bevin's hesitance in agreeing to the meeting because of his concern over difficulties with French. This necessitated the exchange

⁶⁵ The Secretary's party, flying by way of Paris, Frankfurt, and Berlin, arrived in Moscow, December 14, local time.

⁶⁶ Benjamin V. Cohen, Counselor of the Department of State.

⁶⁷ Director of the Office of European Affairs.

⁶⁸ Director of the Office of Far Eastern Affairs.

⁶⁹ Charles E. Bohlen, Assistant to the Secretary of State.

⁷⁰ Military Aide to the Secretary of State.

⁷¹ Telegram 2487, December 11, 1945, to Moscow, reported that Dr. James B. Conant, President of Harvard University, and Walter K. Scott, Communications Officer of the Department of State, would also accompany the Secretary to Moscow (740.00119 Council/12-1145).

⁷² Regarding the release of the statement on the convening of the meeting of the three Foreign Ministers in Moscow, see footnote 56, p. 596.

of number of messages between you and Bevin. I added that when you finally obtained Bevin's agreement you were fearful of leaks and therefore wished the release made at once so as to avoid harmful speculation and discussion. He seemed to be satisfied with my explanation and then asked whether you thought he should send a message to Bevin. I told him that I was sure you would think it appropriate for him to invite Bevin or at least express his gratification that he agreed to come. Molotov showed his good humor by saying "In any event my invitation to Bevin will not come as a surprise".

Molotov asked whether I had a reply from you to his letter of yesterday re the agenda. I replied that I expected to hear from you within the next day or two. When he pressed me for my opinion on what I thought your attitude would be in regard to his suggestions I answered:

1. That I felt sure you would be prepared to discuss control of atomic energy at any time during Conference that he might wish.
2. That I believed you would be quite prepared to discuss mission of American troops in China.
3. That question of British troops in Greece was after all primarily British matter.

I, of course, made it plain that I was making these comments only because he asked for my personal opinion. I have always tried to encourage this type of discussion as the Soviets are so reluctant to do so.

Molotov then asked me for clarification of point 5 of your proposals, namely the disarming and evacuation of Jap troops in North China. He asked whether you had in mind Manchuria and explained that all Jap troops had been disarmed in that area. He inquired with some surprise whether there were really any Jap troops still in North China who had not been disarmed. I replied that I had no detailed information but that as he knew there had been conflict between Communist and National Govt forces in North China and that the disarming and evacuation of Jap forces in this area was the reason for presence of our troops. I said I believed that you would be glad to explain situation to him in detail and to obtain from him his views on developments there. He seemed to be puzzled by point 5. Perhaps it would be clearer if it had been worded to include general situation in North China.⁷³

⁷³ Telegram 2482, December 10, 1945, noon, to Moscow, commented on point 5 of the American proposed agenda as follows: "Point 5 of our proposals—namely the disarming and evacuation of Japanese troops in North China—was not directed to the Manchuria situation which is covered by point 6. In North China, excluding Manchuria, according to our information there are more than 300,000 Japanese troops which have not been evacuated and only a little more than half of them have been disarmed. Their disarmament and evacuation have been delayed and complicated by civil strife. We simply want to advise Molotov of the status of affairs and of the reasons why we have not been able to remove our troops." (740.00119 PW/12-1045)

I asked Molotov whether he had any further suggestions for agenda. In reply he said he had none at the moment as he wished to hear from Bevin first and pointed out that you had suggested that final agenda should be mutually agreed upon after your arrival in Moscow. As is his custom he gave me impression that he wanted to see all suggestions before he committed himself.

On leaving I inquired whether Generalissimus Stalin would be back in Moscow before meeting closed as I felt sure you would be anxious to pay your respects to him before leaving. He said that he would communicate this to Generalissimus Stalin and let me know.

HARRIMAN

740.00119 Council/12-2645

*The American Ambassador in the Soviet Union (Harriman) to the People's Commissar for Foreign Affairs of the Soviet Union (Molotov)*⁷⁴

Moscow, December 9, 1945.

DEAR MR. MOLOTOV: I transmitted to Mr. Byrnes your letter to me of December 7 concerning the agenda, and I have just received a reply.⁷⁵ Mr. Byrnes asks that I inform you that he is pleased with your agreement to his proposals for the agenda. He states that he would have no objection to the transfer to the end of the agenda of his first point, namely, that relating to atomic energy.

Mr. Byrnes asks me to point out that it would be difficult for the United States to arrive at a definite understanding regarding American troops in China in the absence of representatives of the Chinese Government. However, Mr. Byrnes will be glad, if it is satisfactory to you and Mr. Bevin, to have an informal exchange of views on the withdrawal of Allied troops from all independent states other than Germany and Japan.

Mr. Byrnes of course confirms the understanding that the final agenda will be drawn up by mutual agreement when the three Foreign Ministers meet in Moscow.

Sincerely yours,

W. A. HARRIMAN

⁷⁴ This letter was later circulated at the First Session of the Moscow Conference of Foreign Ministers, December 16, 1945, and was included as enclosure 1 to the United States delegation minutes of that meeting.

⁷⁵ For the Secretary's reply, see telegram 2477, December 8, noon, to Moscow, p. 603.

740.00119 Council/12-945 : Telegram

The Chairman of the Council of People's Commissars of the Soviet Union (Stalin) to President Truman

[SOCIU,] ⁷⁶ December 9, 1945.

I thank you for the message of December 8, 1945.⁷⁷ You can be sure that I should like to cooperate with you as well so that the forthcoming Conference of the three Ministers in Moscow would give desirable results in the interests of our common cause.

I shall be in Moscow in the nearest future and I am ready to converse with Mr. Byrnes with full frankness.

[J. V. STALIN]

740.00119 Council/12-945 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, December 9, 1945—4 p. m.
[Received December 9—9:01 a. m.]

4108. Molotov has been informed by me in a letter of contents of your 2477, December 8, noon, regarding agenda.

He may inquire what countries you intended to cover by the phrase "all independent states". I assume that this could be interpreted to include the ex-satellite and liberated countries in Europe as well as Iran, The Lebanon, Syria, Iceland and Siam but to exclude Indo-China, the Dutch East Indies, etc. But it would be helpful in the event Molotov raises this question with me to have information to tell him informally what you have in mind.⁷⁸

HARRIMAN

740.00119 Council/12-1445

The People's Commissar for Foreign Affairs of the Soviet Union (Molotov) to the American Ambassador in the Soviet Union (Harriman)

[Translation]

Moscow, December 14, 1945.

DEAR MR. AMBASSADOR: Having studied Mr. Byrnes' reply ⁷⁹ concerning the proposals of the Soviet Government with respect to the

⁷⁶ Stalin was still on vacation at Sochi on the Black Sea at the time of the sending of this telegram; he did not return to Moscow until December 17.

⁷⁷ See telegram 2478, December 8, noon, to Moscow, p. 603.

⁷⁸ The Secretary replied in telegram 2480, December 9, as follows: "Your views as to the scope of the phrase 'independent states' is substantially correct but I think it best for you to appear to be speaking without direct instructions. I do not wish to open up the question of bases or colonies but intend to press generally for the earliest practicable demobilization of allied armies in ex-satellite and liberated states." (740.00119 Council/12-945)

⁷⁹ See letter of December 9 from Ambassador Harriman to Foreign Commissar Molotov, p. 606.

agenda of the meeting set forth in my letter to you of December 7, I would appreciate it if you would inform Mr. Byrnes as follows:

1. The Soviet Government suggested that there be included on the agenda of the meeting of the three Ministers the question concerning the withdrawal of American forces from China because, first of all, this question is very important and timely and secondly because Mr. Byrnes considered it possible in these circumstances to include on the agenda of the forthcoming meeting of the three Ministers other questions no less important immediately concerning China as, for example, the disarming of the Japanese armed forces in North China and their evacuation to Japan and the transfer of control over Manchuria to the National Government of China.

2. With respect to Mr. Byrnes' proposal that there be exchanged views in an informal manner concerning the withdrawal of Allied forces from all independent states, with the exception of Germany and Japan, the discussion of this question in such a general form, according to the Soviet Government, is inexpedient especially as, for example, the presence of Soviet troops on the territory of other countries is covered either by armistice agreements in force between the Allies and these countries or by other special agreements.

Please, Mr. Ambassador [etc.]

[V. M. MOLOTOV]

740.00119 Council/12-2645

Memorandum of Conversation Between the United States and Soviet Delegations, Conference of Foreign Ministers, at the Kremlin, Moscow, December 15, 1945, noon

Present: The Secretary	Mr. Molotov
Ambassador Harriman	Mr. Vyshinsky
Mr. Bohlen	Mr. Pavlov

The visit was a courtesy call by the Secretary on Mr. Molotov following his arrival and consisted almost entirely of an exchange of amenities.

THE SECRETARY did say that he expected the next meeting of Foreign Ministers to take place in Washington next March or April to which Molotov offered no objection. In regard to the present meeting THE SECRETARY said he intended to insist that Mr. Molotov be Chairman of the meeting.

MR. MOLOTOV suggested that the first regular meeting take place December 16 at 5:00 p. m. at Spiridonovka.⁸⁰

No points on the agenda were discussed, but MR. MOLOTOV said that Mr. Bevin had raised objection to the inclusion of the Soviet sugges-

⁸⁰ Residence of the Soviet Foreign Commissariat.

tion concerning Greece and had proposed that economic questions affecting Europe be discussed. Mr. Molotov said he felt that the economic questions were too complicated for this meeting and could be dealt with by the Social and Economic Council of the world organization. He said the Soviet Government had no new questions to add to the agenda but that up to the present it was not known what the British attitude would be towards the points suggested by the United States and the Soviet Union beyond the indications from Mr. Bevin in regard to Greece and the economic questions.

740.00119 Council/12-1545: Telegram

*The Acting Secretary of State to the Secretary of State, at Moscow*⁸¹

WASHINGTON, December 15, 1945—noon.

2531. Secdel 10.⁸² On December 14 the Senate Atomic Energy Committee called on the President, who asked me to be present. The Committee was disturbed by their conference with you and in fact stated their position as being, first, that, from what you had said and from the presence of Dr. Conant, they believed that you intended to disclose scientific information at your meetings in Moscow; second, that, if this was not the case, they believed that you were going to discuss and possibly make an agreement to disclose all information in advance of any arrangements for inspection and safeguards; third, that they were in favor of no exchange of information until arrangements for inspection and safeguards had been worked out and put into effect.

It was further stated by Senator Vandenberg that instructions which you took with you, by providing that the various stages referred to therein might be discussed independently, contemplated that an agreement might be reached regarding exchange of information prior to any agreement in regard to inspection and safeguards.

It was explained by the President, and with his permission by me also, that the Committee's impression referred to under first above was a misconception and that you had no intention whatever of disclosing any scientific information in the course of your present mission. It

⁸¹ Responding to this telegram in his telegram 4196, Delsec 10, December 17, from Moscow, the Secretary of State informed the Acting Secretary "you can tell the President that I do not intend presenting any proposal outside the framework of the three power declaration" and transmitted the text of the paper entitled "United States Proposals on Atomic Energy". (740.00119 Council/12-1745) This paper, which was circulated at the end of the Third Formal Meeting of the Conference, is printed as enclosure 3 to the United States delegation minutes of that meeting, p. 663.

⁸² "Secdel" was the designation assigned to a series of telegrams from the Department of State to the American delegation to the Moscow Conference of Foreign Ministers; "Delsec" was the designation for telegrams from the American delegation to the Department.

was explained further that you intended primarily to discuss in Moscow the matter of securing Soviet support for the establishment of the United Nations Commission; that, insofar as the exchange of information was concerned, you intended merely to discuss the terms and conditions under which the ordinary freedom of scientific discussion could take place between scientists of this country and other countries in the field of atomic energy. This would apply only to pure research and scientific theory and not to applied science, technical know-how, or ordnance techniques. It was also pointed out that scientific information of this character would soon be freely available in the scientific journals and in scientific meetings in this country and hence available to the scientists of other countries and that before this happened it was your purpose to see whether methods could be worked out for access by American scientists to similar material from the Soviet Union, thus establishing a basis for good will and mutual confidence rather than suspicion.

The President made it clear that any proposals advanced would be referred here before agreement was reached and that he had no intention of agreeing to disclose any information regarding the bomb at this time or unless and until arrangements for inspection and safeguards could be worked out.

The Senators repeated all of the statements which they had made at your meeting and all agreed in the views expressed in the first paragraph of this message.

The President has seen this message.⁸³

ACHESON

740.00119 Council/12-2645

*United States Delegation Minutes, First Formal Session, Conference of Foreign Ministers, Spiridonovka, Moscow, December 16, 1945, 5:00-7:10 p. m.*⁸⁴

1ST FORMAL SESSION

Present: ⁸⁵ Mr. Molotov, Commissar for Foreign Affairs
 Mr. Vyshinski, Vice Commissar for Foreign Affairs
 Mr. Gusev, Soviet Ambassador to London
 Mr. Malik, Soviet Ambassador to Tokyo
 Mr. Tsarapkin, Chief, American Section, NKID ⁸⁶

⁸³ The original bears the notation "OK HST".

⁸⁴ The Secretary reported to Washington on this meeting in telegram 4190, Delsec 9, December 17, from Moscow, not printed.

⁸⁵ The British delegation minutes of this meeting (not printed) list the following additional participants: For the United States—Edward Page, Secretary of Embassy in the Soviet Union; for the United Kingdom—Pierson J. Dixon of the British Foreign Office.

⁸⁶ Narodnyi Kommissariat Inostrannykh Del (People's Commissariat for Foreign Affairs).

Mr. Pavlov, Interpreter
Mr. Byrnes, Secretary of State
Mr. Harriman, American Ambassador to Moscow
Mr. Cohen, Counselor of Department of State
Dr. Conant, President of Harvard University
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir A. Clark Kerr, British Ambassador to Moscow
Sir R. Campbell, Ambassador
Mr. Sterndale Bennett, Counselor, Far Eastern Department
Mr. McAfee, Interpreter

Subject: Agenda

1. THE AGENDA, ETC.

MR. MOLOTOV opened the meeting on his own behalf and that of the Soviet Government, welcoming the Delegations and his Colleagues: Mr. Byrnes and Mr. Bevin. He expressed the hope that the conference would be a success.

MR. BYRNES expressed confidence that great good would come of the conference and made the suggestion that Mr. Molotov should preside at its sessions.

MR. BEVIN expressed the hope that the conference would prove a great success not only for the countries immediately concerned, but also for the whole world and stated his support of Mr. Byrnes's proposal that Mr. Molotov should preside.

MR. MOLOTOV thanked the other two delegates for their proposal that he preside and raised the preliminary question of the procedure of convening sessions.

It was agreed that there should be daily meetings at 4:00 p. m. with provision for exceptions to this rule if desirable.

MR. MOLOTOV stated that Mr. Malik would be the secretary of the Soviet Delegation.

MR. BEVIN stated that Mr. Dickson [*Dixon?*] would be the secretary of the British Delegation.

MR. BYRNES stated that Mr. Bohlen would be the secretary of the American Delegation.

MR. MOLOTOV then raised the question of the Conference agenda, pointing out that Mr. Byrnes, as the sponsor of the conference, had proposed an agenda of eight items.⁸⁷ Mr. Molotov stated that in the

⁸⁷ The original agenda proposed by the Secretary of State was set forth in Harriman's letter of December 7 to Molotov, p. 599.

opinion of the Soviet Delegation the first item on the agenda proposed by Mr. Byrnes should be placed at the end of the agenda and that two additional items should be inserted after item five.⁸⁸

MR. MOLOTOV stated that the British Government had contributed its observations with regard to the proposed agenda and that Mr. Bevin had objected to discussing the question of withdrawing British troops from Greece. He added that Mr. Bevin had also made observations concerning economic collaboration in Europe without however proposing the inclusion of this topic in the agenda. Mr. Molotov stated further that Mr. Byrnes had objected to the proposal of the Soviet Government to discuss the withdrawal of American troops from China.

MR. BYRNES stated that there must be a misunderstanding in this matter as he had no objection to discussing the question of American troops in China, but on the contrary, would be very glad to discuss it.

MR. MOLOTOV maintained that Mr. Harriman's letter⁸⁹ in this connection had replaced the question of withdrawing American troops from China by the question of withdrawing Allied troops from all independent states except Germany and Japan.

MR. BYRNES at this point read aloud relevant excerpts of Mr. Harriman's letter (see enclosure no. 1⁹⁰). Mr. Byrnes stated further that although he did not wish to arrive at a final understanding with regard to United States forces in China in the absence of a representative of the Chinese Government, he would be glad to discuss this question informally and also to discuss the withdrawal of Allied troops from all independent countries. With regard to Mr. Molotov's suggestion that the first item on the agenda submitted by Mr. Byrnes should be placed at the end of the agenda, Mr. Byrnes stated that he had no objection to this.

MR. MOLOTOV stated that there appeared to be certain differences of opinion with regard to the agenda. He inquired whether there was any objection to the Soviet proposal that the first item proposed by Mr. Byrnes should be discussed last.

MR. BEVIN inquired whether this item should necessarily be discussed last and suggested that it might be discussed further on in the course of the conference.

MR. MOLOTOV pointed out that Mr. Byrnes had agreed to the Soviet proposal; however, if it were found necessary in the course of the discussions to change this decision, it would be agreeable to him.

⁸⁸ Molotov's proposed modifications of the Secretary's suggested agenda were set forth in his letter of December 7 to Harriman, p. 600.

⁸⁹ Reference is to Harriman's letter of December 9 to Molotov, p. 606, setting forth the Secretary's reactions to Molotov's letter of December 7.

⁹⁰ See previous footnote.

MR. BEVIN stated that he had not known that Mr. Byrnes was in agreement with the Soviet proposal and that in view of Mr. Byrnes' agreement, he would present no objections.

MR. BYRNES remarked that in his opinion there should be no hard and fast agenda, but that the delegates should feel free to bring up any questions which they desired to discuss and that the agenda should be kept open at all times.

MR. MOLOTOV indicated his agreement, but suggested that the first item be considered as being placed at the end of the agenda.

There was no objection to this proposal.

MR. MOLOTOV then stated that the Soviet Government proposed to add to the agenda the following two questions:

1. The withdrawal of American troops from China, and
2. The withdrawal of British troops from Greece.

He stated further that the Soviet Delegation believed it necessary to receive information concerning developments in Indonesia and informally to exchange views on this topic. He stated that the Soviet Delegation, therefore, proposed to add the Indonesian situation to the agenda.⁹¹

With regard to item six of Mr. Byrnes' proposed agenda, concerning the transfer of control over Manchuria to the Chinese National Government, Mr. Molotov stated that this question might be removed from the agenda since the Soviet Government had a special agreement with the Chinese Government concerning Manchuria⁹² and since there were no differences of opinion between the Soviet and Chinese Governments on this score. He, therefore, saw no reason why the Manchurian question should require special consideration.

MR. BEVIN stated that he could not agree to the inclusion of the British withdrawal from Greece on the agenda. He stated that he would be prepared to talk this matter over at a later date when it was determined how the conference was progressing in its discussions on the peace treaties. He took the point of view that Greek discussions should be handled in a preliminary way, rather than as a formal item on the agenda.

⁹¹ For documentation regarding the interest of the United States in the political developments in the Netherlands East Indies following the defeat of Japan, see vol. v, pp. 1 ff.

⁹² Apparently reference is to the agreement of August 14, 1945, between the Soviet Union and China regarding relations between the Soviet Commander in Chief and the Chinese administration following the entry of Soviet forces into the territory of the "Three Eastern Provinces" of China in connection with military operations against Japan; for text, see United Nations Treaty Series, vol. 10, p. 331; Department of State *Bulletin*, February 10, 1946, p. 206; or Department of State, Far Eastern Series No. 30: *United States Relations with China* (Washington, Government Printing Office, 1949), p. 592.

MR. BYRNES stated that although the presence of United States troops in North China was covered by the surrender agreement, he had no objections to discussing this subject and would be glad to provide his colleagues with full information concerning it. He stated that his colleagues were entitled to be thoroughly informed concerning American actions in China and that he desired them to have this information. This, he said, applied to his desire to discuss the withdrawal of Allied troops from all states.

MR. BEVIN stated that with regard to Indonesia he did not quite know what his position was inasmuch as the British in Indonesia were acting under the orders of those who signed the surrender terms; the British troops were stationed in Indonesia in order to carry out the duties allocated to them there. He inquired as to whom he was to report to—the Combined Chiefs of Staff or the present body. He continued that he did not wish to be judged by those who were not in a position to judge him. He stated that the Soviet Government desired to ascertain what the British were doing in Indonesia and explained that they were merely the agents of the Supreme Commander. He explained that he did not want to be “put on the carpet” in the present situation.

MR. BYRNES stated that he hoped Mr. Bevin would bear in mind the distinction between formal and informal discussions and pointed out that this question might be discussed informally without being placed on the agenda. He added that he was in favor of discussing any and all matters informally and that it would lead to better understanding among all three governments for any question in the minds of any one of the three to be discussed. He, for his part, would be glad to advise his colleagues on any subject they wished to raise.

MR. BEVIN stated that if the Indonesian question were discussed without agreement being obtained, then this would cause misunderstanding. He stated that he would be glad to talk with Mr. Molotov and Mr. Byrnes on the subject of Indonesia but repeated that the British were not free agents and were obligated to fulfil the instructions of the East Asia Command. He added that there were certain questions in his mind also which he would like to discuss informally for purposes of clarification without placing them on the agenda.

MR. BYRNES stated that if Mr. Molotov's suggestion with regard to Indonesia was based upon the inclusion by Mr. Byrnes of Manchuria on the agenda, he wished to point out that he had included Manchuria not in order to provoke a discussion of the conduct of the Soviet Command but purely to obtain information concerning the situation in Manchuria. He added that if Mr. Molotov so desired, he would be willing to withdraw the question of Manchuria from the agenda. He stated that this was particularly the case in view of

Mr. Molotov's statement that the USSR was working harmoniously with the Chinese Government in regard to Manchuria. He stated that he desired to advise his colleagues of the situation in North China and had also desired to inquire about the situation in Manchuria, in which all sides were interested, but that the question of Manchuria could be withdrawn if Mr. Molotov so wished.

MR. MOLOTOV stated that with regard to Indonesia he was not referring to the execution of the armistice terms with Japan, which had been signed by the representatives of all three powers, but that the Indonesian question merited examination in essence. He stated that at the end of November the New York radio had reported that the Indonesians had lost 30,000 to 40,000 men and that actual warfare was taking place there. This had attracted the attention of the whole world. The Soviet Government would like to obtain informally information about these events and an explanation of them. He stated that the three Ministers could discuss informally ways and means of ending the bloodshed and stopping the intervention of foreign troops, particularly British, and could discuss the settlement of this question in a peaceful and democratic way. He inquired why this question could not be discussed informally in view of the proposals to discuss the questions of China and Iran. He then repeated that such discussion might facilitate a peaceful and democratic settlement of the Indonesian question.

With regard to the question of the transfer of the control of Manchuria to the Chinese National Government, Mr. Molotov repeated that the Soviet Government had an agreement with the Chinese National Government concerning Manchuria. He stated further that the Soviet Command had worked out a plan of evacuation under the terms of this agreement in accordance with which the Soviet evacuation of Manchuria would have been completed by December 3. The Soviet Command had proceeded with the evacuation and had already evacuated southern Manchuria when the Chinese Government in the middle of November had requested that the evacuation be suspended for a period of one month, to which the Soviet Government had agreed. The Chinese Government had recently approached the Soviet Government again with the request that the evacuation be suspended until February 1st and this further proposal was now under consideration.⁹³ Mr. Molotov concluded that the Soviet Government had neither misunderstandings nor differences of opinion with the Chinese Govern-

⁹³ In his telegram 4190, Delsec. 9, December 17, from Moscow, reporting on the First Formal Session of the Conference, the Secretary added the following remark regarding Soviet-Chinese exchanges on the matter of evacuation of Manchuria: "Chinese Ambassador here says there was no new commitment by China to secure delay of withdrawal of Soviet troops." (740.00119-Council/12-1745)

ment on this question and accordingly he saw no reason for its inclusion in the agenda. With regard to the withdrawal of United States troops from North China, Mr. Molotov inquired whether he was correct in assuming that Mr. Byrnes did not object to the inclusion of this topic on the agenda and to an informal exchange of views upon it.

MR. BYRNES stated that he was in agreement with this.

MR. MOLOTOV stated that with regard to Greece, he believed that the Ministers were fully entitled to have an exchange of views. He stated that if the withdrawal of our troops from Iran were to be discussed, he saw no reason why the withdrawal from Greece and China should not also be discussed.

With regard to Iran, Mr. Molotov stated that the presence of Soviet troops is covered by the Anglo-Soviet Treaty⁹⁵ and that this question had been discussed at Berlin and had come up for examination again at London. An exchange of views had taken place in London. There had also been an exchange of letters between Mr. Molotov and Mr. Bevin on this question. Mr. Molotov stated further that if Mr. Bevin opposed the discussion of the evacuation of troops from Indonesia, then he would object to including the question of evacuating troops from Iran on the agenda. He would propose therefore that these two questions be considered apart from the agenda.

MR. BEVIN stated that the question of evacuating troops from Iran had not been proposed by him since he had exchanged letters with Mr. Molotov on this question and they had agreed that all troops would be evacuated from Iran by a certain time. He added that before reaching a final conclusion on this issue, he would like to have an unofficial exchange of views with his colleagues. He did not wish to bargain the withdrawal of troops from one area against the withdrawal from another, but to discuss each question on its own merits.

MR. MOLOTOV expressed his agreement with this.

MR. BYRNES suggested that the questions of evacuating troops from Greece, Iran and Indonesia be eliminated from the agenda but be discussed informally.

MR. MOLOTOV remarked that the agenda would be somewhat shorter in view of this and inquired whether agreement had been reached that the question of Manchuria should also be deleted from the agenda.

⁹⁵ Presumably reference here is to the Treaty of Alliance between the Soviet Union and the United Kingdom on the one hand and Iran on the other, signed at Tehran, January 29, 1942; for text, see *British and Foreign State Papers*, vol. CXLIV, p. 1017, or Department of State *Bulletin*, March 21, 1942, p. 249. For documentation on the treaty, see *Foreign Relations*, 1942, vol. iv, pp. 263 ff.

MR. BYRNES and MR. BEVIN agreed that Manchuria should also be deleted.

MR. BYRNES referred to topic No. 4 on his proposed agenda, concerning an independent government for Korea. He wished to point out that he now proposed a new title for this subject reading; "The creation of a unified administration for Korea looking toward the eventual establishment of an independent Korean Government".

MR. MOLOTOV and MR. BEVIN stated that they had no objections to this revised wording.

MR. MOLOTOV summed up the items which had been agreed upon as constituting the agenda:

(1) The reconvening of the Council of Foreign Ministers and the resumption of the work of their deputies.

(2) The terms of reference of the Allied Council and FEC.⁹⁶

(3) The creation of a unified administration for Korea looking toward the establishment of an independent Korean Government.

(4) The disarming of Japanese armed forces in North China and their evacuation to Japan.

(5) Conditions permitting the recognition of the present governments of Roumania and Bulgaria.

(6) Proposals concerning a United Nations Commission for consideration of the control of atomic energy.

MR. MOLOTOV stated that he would proceed to the first item.

2. PRELIMINARY DISCUSSIONS

MR. BYRNES stated that he was circulating a memorandum entitled "Preparations for Peace Treaties" (enclosure No. 2). Mr. Byrnes called attention to the fact that this document was similar to the document which the United States Government had presented at London except for one point.⁹⁷ The first paragraph was that which had been presented by Mr. Molotov.⁹⁸ The second paragraph was that which had been presented by Mr. Byrnes. The only change was in the second sentence of the last paragraph.

MR. MOLOTOV stated that the Soviet Delegation wished to have time to review this question and proposed that Mr. Byrnes' recommendations be considered at the following meeting. He therefore suggested that the conference proceed to point No. 2 on the agenda.

MR. BYRNES stated that he had no objection to this and called attention again to the fact that only one change had been made in the original document on this subject. He added that, as he remembered, Mr. Molotov had stated that he had no objection in principle to this

⁹⁶ Far Eastern Commission.

⁹⁷ See Proposal by the United States Delegation to the Council of Foreign Ministers, C.F.M. (45) 84, September 30, p. 475.

⁹⁸ See Resolution Proposed by the Soviet Delegation to the Council of Foreign Ministers, C.F.M. (45) 83, September 30, p. 474.

proposal. He expressed the hope that Mr. Molotov would have no objection at this time.

MR. BYRNES stated that with regard to item No. 2 on the agenda he was circulating papers (enclosure No. 3⁹⁹). He stated that the other delegates would wish to have the opportunity to study these papers, and Mr. Molotov and Mr. Bevin assented.

Mr. Byrnes then proceeded to item No. 3, the question of Korea, referring to Mr. Harriman's letter of November 8 to Mr. Molotov (enclosure No. 4).

MR. MOLOTOV stated that Mr. Harriman's letter of November 8 did not embrace the question which had been placed upon the agenda, viz. the Korean situation as a whole.

MR. BEVIN inquired whether there had been an answer to Mr. Harriman's letter of November 8.

MR. MOLOTOV replied that there had not been an answer but that the questions raised in Mr. Harriman's letter were being studied. He later corrected himself and stated that a reply had been made.¹

MR. BYRNES stated that Mr. Harriman's letter had represented the first step toward accomplishment of the objectives formulated in item No. 3 of the agenda.

MR. MOLOTOV replied that the letter contained no reference to or mention of a Korean government.

MR. BYRNES stated that he had referred to Mr. Harriman's letter in connection with the discussion of Korea in as much as this letter contained the ideas of the United States Government as to what would be the first step toward establishing an independent Korean government. It had been his understanding that all three parties had agreed that there should be a trusteeship for Korea. This could not be accomplished immediately, but the proposals made in Mr. Harriman's letter would be a most desirable step toward that end and Mr. Byrnes therefore suggested that these proposals be considered in order to relieve the situation in Korea, following which a formula of trusteeship could be discussed. Mr. Byrnes wished that there should be a full exchange of views on this subject but this should be prefaced by discussion of immediate steps to be taken. Then the formula of trusteeship could be discussed. Mr. Byrnes inquired as to the views of Mr. Bevin and Mr. Molotov concerning the specific proposals set forth in this letter with regard to the resumption of commodity exchange, et cetera.

⁹⁹ Enclosure No. 3 consists of three memoranda by the United States delegation, labeled enclosures 3a, 3b, and 3c.

¹ Telegram 3940, November 23, from Moscow, printed in vol. VI, reported receipt of a letter on November 21 from Deputy Foreign Commissar Vyshinsky stating that the American proposals had been transmitted to the competent Soviet authorities.

MR. MOLOTOV repeated his previous statement that Mr. Harriman's letter had not touched upon the question of a Korean government or the establishment of a trusteeship. He stated that the question placed by Mr. Byrnes on the agenda, however, was the general one of a Korean government and an over-all administration for Korea. Mr. Harriman's letter raised questions of the exchange of commodities, the resumption of railway operations, shipping, financial policy, displaced persons, et cetera. Mr. Molotov had only just been apprised of the fact that Mr. Byrnes linked these questions with the general question of a Korean government but he did not understand how these questions were related and would like to have this explained.

MR. BYRNES stated that the United States Government proposed that a unified administration for Korea be established. Mr. Harriman's letter had set forth certain proposals which should be adopted in order to achieve this end. If a unified administration were to be established, it would be necessary to have the Soviet and American Commanders in Korea confer and reach agreement concerning the points raised in Mr. Harriman's letter and other measures looking to the replacement of the present two administrations by a unified administration. The establishment of a unified administration would facilitate the next stage which would be the establishment of a trusteeship as agreed. The agreement had provided for a four-power trusteeship, but there was no reason not to achieve a unified administration at the present time.

MR. MOLOTOV stated that Mr. Harriman's letter raised a number of specific questions and that the Soviet Delegation had not been apprised in advance that the Korean question would be raised from this point of view. The specific questions touched upon in Mr. Harriman's letter were being studied. The Soviet Delegation must obtain material from the appropriate authorities and also from the military authorities in Korea, but Mr. Molotov could state at the present time that due attention had been devoted to these questions in recent weeks.

MR. MOLOTOV went on to say that since Mr. Harriman's letter had not referred to a unified administration in Korea or mentioned a Korean government, Mr. Byrnes might wish to explain what the United States Government had in mind on this question.

MR. BYRNES replied that the United States Government had seen no way to unify the administration of Korea other than by authorizing the American and Soviet Commanders in Korea to confer on steps to be taken toward this end. Mr. Byrnes suggested that there might be a misunderstanding over the phrase "unified administration" which in the American view merely summed up the various specific proposals regarding the nationalization [*rationalization*] of communications, et cetera. If necessary, the words "unified administration" might be de-

leted and replaced by the concrete words employed in Mr. Harriman's letter. Mr. Byrnes moved, therefore, to strike out of the agenda the term "unification."

MR. MOLOTOV stated that Mr. Byrnes was raising an entirely different question from that of the government, trusteeship, or unified administration of Korea. The concrete proposals presented by Mr. Byrnes would require the presence of specialists and advisers on railways, finance, commercial matters, et cetera, but time would not permit this.

MR. BYRNES agreed that there would not be time for this, but stated that he had desired to discuss whether the Commanders in Korea could be authorized to take up these matters with the appropriate specialists. He agreed that specialists could not be invited to the conference.

MR. MOLOTOV stated that he believed an examination of the question of a unified administration, trusteeship and an independent government of Korea, as discussed at Yalta by President Roosevelt and Generalissimo Stalin,² would facilitate the settlement of these practical questions raised in Mr. Harriman's letter. He said that it might be necessary to obtain the opinion of the civilian and military authorities on the questions raised by Mr. Harriman which were of course important. At the moment Mr. Molotov did not have any information regarding the latter questions, although it was quite possible that they were under consideration at the present time. But it would not be desirable to confine discussion of the Korean question to a consideration of these practical questions. Mr. Byrnes at the outset had raised the question of establishing an independent government in Korea. Today he had added to this the question of creating a unified administration and trusteeship. There was a connection between these general and specific questions and a discussion of the former would facilitate examination of the latter.

MR. BEVIN stated that he would like to obtain a copy of the original agreement on a trusteeship for Korea.

MR. MOLOTOV stated that he wished to make it clear that no agreement existed. There had been an exchange of views between the United States and Soviet representatives at the time of the Yalta conference on the necessity of establishing a trusteeship for Korea.

MR. BYRNES stated that this was in accordance with his understanding. In citing Mr. Harriman's letter he had not desired to confine discussion to the consideration of the questions raised in this letter. He wished to discuss the general subject. He hoped that a time would come when agreement could be reached upon the establishment of an

² Regarding the discussion at Yalta between President Roosevelt and Marshal Stalin on the subject of trusteeships, see the Bohlen Minutes of the Roosevelt-Stalin Meeting, February 8, 1945, 3:30 p. m., *Conferences at Malta and Yalta*, p. 770.

independent government. The understanding reached at Yalta looked toward the establishment of a trusteeship, which in turn provided for the formation of an independent government. Mr. Byrnes added that the American Delegation would prepare a paper on this general subject for distribution at the following meeting.

MR. BEVIN agreed that this would be the most desirable procedure. He stated that he well understood the desire of Mr. Byrnes to coordinate economic functions in Korea as that was very necessary to bring about unification of that country.

MR. MOLOTOV stated that the conference would defer discussion of Korea pending presentation of Mr. Byrnes' document.

MR. BYRNES said that he had a statement which had been made by the President during the last day or so regarding the presence of American troops in North China (enclosure No. 5³). He proposed that the other delegates take this statement for consideration and that it be discussed at tomorrow's session.

MR. MOLOTOV expressed gratification to Mr. Byrnes for the document and terminated the session at 7:10 p. m.

It was agreed among the delegates that no statement would be made to the press following the present meeting, but that at each succeeding meeting a decision would be made as to whether statements should be issued to the press.

[Enclosure 1]

[Enclosure 1, the letter of December 9 from Ambassador Harriman to Foreign Commissar Molotov, is printed on page 606.]

[Enclosure 2]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 16, 1945.

PREPARATION OF PEACE TREATIES

It will be recalled that on September 30, 1945 the Soviet Delegation presented a resolution to the Council of Foreign Ministers to which the United States Delegation proposed an addition on the same date.⁴

³ For the statement by President Truman regarding United States policy toward China, released to the press by the White House on December 16, 1945, see Department of State *Bulletin*, December 16, 1945, p. 945, or *Public Papers of the Presidents*: Harry S. Truman, 1945, p. 543. The memorandum circulated to the Conference by the Secretary of State, included as enclosure 5, p. 628, was based upon the President's statement.

⁴ Reference here is to the Proposal by the United States Delegation to the Council of Foreign Ministers, C.F.M. (45) 84, September 30, p. 475, and Resolution Proposed by the Soviet Delegation to the Council of Foreign Ministers, C.F.M. (45) 83, September 30, p. 474.

The resolution set forth procedure to be adopted for the preparation of peace treaties. It was the feeling of the American Delegation that all members of the Council of Foreign Ministers and all European members of the United Nations, and all non-European members of the United Nations which contributed substantial military contingents in the war against the European members of the Axis, should be permitted to attend a conference and participate in the discussions and in the drafting of peace treaties.

The Soviet Delegate indicated that he was prepared to consult his Government with regard to the addition to the Soviet proposal suggested by the American Delegation.

The United States Delegation attaches for the convenience of the Soviet and British Delegates a copy of the resolution in question and submits it for approval by the Moscow Conference of Foreign Ministers.

[Subenclosure]

Resolution Proposed by the United States Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 16, 1945.

PREPARATION OF PEACE TREATIES

Notwithstanding the decision of the Council of Foreign Ministers regarding the participation of the members of the Council, adopted on 11th September, in the drawing up by the Council of treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland, only members of the Council who are, or under the Berlin Agreement are deemed to be, signatory of the surrender terms, will participate, unless and until the Council takes further action under the Berlin Agreement to invite other members on questions directly concerning them.

The Council will convoke a Conference under the provisions of II, 4(ii) of the Berlin Agreement for the purpose of considering treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland. The Conference will consist of the five members of the Council, which also constituted the five permanent members of the United Nations Security Council, together with all European members of the United Nations and all non-European members of the United Nations which supplied substantial military contingents against European members of the Axis. The Conference will be held in London and will begin its proceedings not later than 1945. It will take as the bases for its discussion reports of the Deputies with any modifications agreed upon by the governments of the Deputies in question.

After full hearing and discussion by the invited States, and upon consideration of their recommendations, the final approval of the terms of the treaties of peace will be made by those of the invited States which were at war with the enemy state in question.

[Enclosure 3a]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 16, 1945.

FAR EASTERN COMMISSION AND ALLIED COUNCIL

The United States Government has from the outset clearly demonstrated its desire to cooperate with its Allies in bringing about effective implementation of the Potsdam Declaration and the Terms of Surrender for Japan.

In August we proposed the establishment of the Far Eastern Advisory Commission. In order to meet the views of our Allies, we have subsequently been giving careful consideration to related proposals put forward by them for the modification and extension of our original proposals.

Over the past two months, discussions have been proceeding with the Soviet Government on this subject. The British and Chinese Governments have been kept informed of the course of these discussions. As a result, the original proposal for the Far Eastern Advisory Commission has undergone considerable modification. The name has been altered to eliminate the word "Advisory", and the Commission, originally conceived as a recommendatory body, has been clothed with real authority in the formulation of policies, principles and standards for the implementation of the Terms of Surrender. Additionally, we have proposed the establishment of an Allied Council in Tokyo to consult with and advise the Supreme Commander for the Allied Powers.

We have now reached a point where I can lay before my Soviet and British colleagues for their consideration revised proposals for a Far Eastern Commission in Washington and an Allied Council in Tokyo. I am therefore giving you our revisions of the Terms of Reference for the Far Eastern Commission and for the Allied Council. I want to discuss these revised Terms of Reference with you and to reach agreement on them. I believe that a Commission and a Council operating under these Terms of Reference as now proposed by us would bring into being the cooperation among the interested Allied

powers for the control and administration of Japan which we have sought from the outset.

[Enclosure 3b]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 16, 1945.

FAR EASTERN COMMISSION

PROPOSED REVISION OF THE TERMS OF REFERENCE

I. *Establishment.*

The Governments of the Union of Soviet Socialist Republics, China, United Kingdom, United States, France, the Netherlands, Canada, Australia, New Zealand, India, and the Philippine Commonwealth hereby establish a Far Eastern Commission composed of representatives of the participating powers.

II. *Functions.*

A. The functions of the Far Eastern Commission shall be:

1. To formulate the policies, principles, and standards in conformity with which the fulfillment by Japan of its obligations under the instrument of surrender may be accomplished.

2. To review, on the request of any member, any directive issued to the Supreme Commander or any action taken by the Supreme Commander involving policy decisions within the jurisdictions of the Commission.

3. To consider such other matters as may be assigned to it by agreement between the participating Governments.

B. The Commission shall not make recommendations with regard to the conduct of military operations nor with regard to territorial adjustments.

C. The Commission shall respect existing control machinery in Japan including the chain of command from the United States Government to the Supreme Commander and the Supreme Commander's command of occupation forces; and the Supreme Commander shall continue to act under directives which the United States has already sent to him, unless and until the issuing authority shall have modified such directives in accordance with the Commission's recommendations.

III. *Functions of the United States Government.*

1. The United States Government shall prepare directives in accordance with policy decisions of the Commission and shall transmit them to the Supreme Commander through the appropriate United States Government agency. The Supreme Commander shall be

charged with the implementation of the directives which express the policy decisions of the Commission.

2. If the Commission decides that any directive or action reviewed in accordance with Article II, A, 2, should be modified, its decision shall be regarded as a policy decision.

3. Any directives dealing with fundamental changes in Japanese constitutional structure, or in the regime of occupation, will only be issued following prior consultation and agreement in the Far Eastern Commission.

4. The United States Government may issue interim directives to the Supreme Commander pending action by the Commission whenever urgent matters arise not covered by policies already formulated by the Commission.

5. All directives issued shall be filed with the Commission.

IV. Other Methods of Consultation.

The establishment of the Commission shall not preclude the use of other methods of consultation on Far Eastern issues by the participating Governments.

V. Composition.

1. The Far Eastern Commission shall consist of one representative of each of the states party to this agreement. The membership of the Commission may be increased by agreement between the participating powers as conditions warrant by the addition of representatives of other United Nations in the Far East or having territories therein. The Commission shall provide for full and adequate consultations, as occasion may require, with representatives of the United Nations not members of the Commission in regard to matters before the Commission which are of particular concern to such nations.

2. The Commission may take action by less than unanimous vote provided that action shall have the concurrence of at least a majority of all the representatives including the representatives of the four following powers: United States, United Kingdom, Union of Soviet Socialist Republics and China.

VI. Location and Organization.

The Far Eastern Commission shall have its headquarters in Washington. It may meet at other places as occasion requires, including Tokyo, if and when it deems it desirable to do so.

It may make such arrangements through the Chairman as may be practicable for consultation with the Supreme Commander for the Allied Powers.

Each representative on the Commission may be accompanied by an appropriate staff comprising both civilian and military representation.

The Commission shall organize its secretariat, appoint such committees as may be deemed advisable, and otherwise perfect its organization and procedure.

VII. *Termination.*

The Far Eastern Commission shall cease to function when a decision to that effect is taken by the concurrence of at least a majority of all the representatives including the representatives of the four following powers: United States, United Kingdom, Union of Soviet Socialist Republics and China. Prior to the termination of its functions the Commission shall transfer to any interim or permanent security organization to which the participating governments are members those functions which may appropriately be transferred.

[Enclosure 3c]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 16, 1945.

ALLIED COUNCIL

PROPOSED REVISION OF THE TERMS OF REFERENCE

1. There shall be established an Allied Council with its seat in Tokyo under the Chairmanship of the Supreme Commander for the Allied Powers (or his Deputy) for the purpose of consulting with and advising the Supreme Commander in regard to the implementation of the terms of surrender, occupation and control of Japan and of directive supplementary thereto.

2. The membership of the Allied Council shall consist of the Supreme Commander (or his Deputy), who shall be Chairman and United States member; Union of Soviet Socialist Republics member; Chinese member; and a British Commonwealth of Nations member. Each member shall be entitled to have an appropriate staff, the size of which shall be fixed in agreement with the Chairman of the Council.

3. The Allied Council shall meet not less often than once every two weeks.

4. The Supreme Commander shall issue all orders for the implementation of the terms of surrender, occupation and control of Japan and directives supplementary thereto. He will consult and advise with the Council upon orders involving questions of principle in advance of their issuance, the exigencies of the situation permitting. His decision upon all matters shall be controlling. In all cases action will be carried out under and through the Supreme Commander for the Allied Powers who is the sole executive authority for the Allied Powers within the area of his command.

5. Action to modify the agreed regime of allied control for Japan or to approve revisions or modifications of the Japanese Constitution will be taken only in accordance with decisions of the Far Eastern Commission.

[Enclosure 4]

*The American Ambassador in the Soviet Union (Harriman) to the People's Commissar for Foreign Affairs of the Soviet Union (Molotov)*⁶

Moscow, November 8, 1945.

DEAR MR. MOLOTOV: In connection with the division of Korea into Soviet and American occupied zones, I have been instructed by my Government to explore the possibility of an interim working agreement being negotiated with the Soviet Government regarding the rationalization of communications, commerce, finance and other outstanding issues in Korea.

General Hodge, the Commanding General of the United States Forces in Korea, has been vested with the necessary authority to negotiate on a local military basis with the Soviet Commander in Korea regarding the foregoing problems. It appears, however, that the Soviet Commander is not authorized to enter into negotiations with General Hodge on these matters. Urgent economic and social problems affecting the whole of Korea therefore continue to remain unsolved.

Some of these problems, specifically, are: (1) the resumption of exchange of commodities between the two zones including the movement of coal and the release of electric power from the northern zone for use in the southern zone; (2) the resumption of railroad and other traffic between the two zones; (3) the resumption of coastal shipping; (4) the establishment throughout Korea of uniform fiscal policies; and (5) the solution by orderly means of the displaced persons problem, including the return to Japan of Japanese subjects.

My Government wishes to ascertain whether the Soviet Government is prepared to authorize the Soviet Commander in Korea to enter into negotiations with General Hodge in these matters or whether it wishes that these problems be discussed between the two Governments.

Sincerely yours,

W. A. HARRIMAN

⁶For the instructions upon which this letter was based, see telegram 2278, November 3, 6 p. m., to Moscow, printed in vol. VI.

[Enclosure 5]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 16, 1945.

AMERICAN MARINES IN CHINA

President Truman has announced^{*} and I have stated to the press on a number of occasions that American Marines are in North China for the purpose of assisting the Chinese Government in the demobilization and deportation of Japanese troops in North China in accordance with the Terms of Surrender. We have assumed a responsibility in this respect which we feel obliged to discharge in the interest of international peace as well as of internal stability in China. One of the causes that brought us into war against Japan was our refusal to accept the position of Japan in China—our refusal to compromise the principle of the territorial and administrative integrity of China.

Our Marines will be withdrawn when they are no longer required for the purpose stated. We hope that will be soon. There are something over 50,000 of them in North China now. This represents a small reduction from the original number. There are in North China some 325,000 Japanese troops. Over half of these have been disarmed but their deportation from China has been slow due to a shortage of shipping. We are making plans for a considerable increase in shipping facilities which will make possible a much more rapid deportation of Japanese—civilians as well as troops—from China.

The President has recently sent General Marshall to China as his special representative. We recognize that internal conditions in North China, arising out of differences between the Chinese Government and dissident political factions in China, constitute a serious impediment to carrying out the Terms of Surrender and in particular to the demobilization and deportation of Japanese. In view of this situation we are very anxious that the differences which exist between the National Government and the dissident political factions be settled by methods of peaceful negotiation having as its objective the broadening of the base of the present National Government of China to provide fair and effective representation to the principal political elements in China. The primary objective of President Truman in sending General Marshall to China is that he exert his influence to bring about discussion and agreement among the various political elements and, concurrently, to arrange for a truce between the opposing Chinese

^{*} Reference is to the statement by President Truman regarding United States policy toward China, released to the press by the White House on December 16, 1945; for text, see Department of State *Bulletin*, December 16, 1945, p. 945, or *Public Papers of the Presidents: Harry S. Truman*, 1945, p. 543.

military forces in North China. The arrangement of such a truce would facilitate and speed the demobilization and deportation of Japanese troops from China and hasten the day—which we sincerely hope will be soon—when the American Marines will be returned to the United States from China.

740.00119 Council/12-1745

*Record of Conversation, Prepared by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers*⁹

Moscow, December 17, 1945.

Present: Mr. Byrnes Mr. Bevin
 Sir A. Cadogan
 Mr. Dixon

SOVIET POLICY

MR. BEVIN said that Soviet policy was disturbing. It looked as if the Russians were attempting to undermine the British position in the Middle East. This could be seen in their attitude towards Greece, Turkey and Persia, all three points where the U.S.S.R. rubbed with the British Empire. The Soviet Government were maintaining large numbers of troops in Bulgaria and in Hungary, and there were also national armies in Bulgaria and Yugoslavia.

The world seemed to be drifting into the position of "three Monroes". The United States already had their "Monroe" on the American continent and were extending it to the Pacific. (MR. BYRNES interjected that in the Pacific the United States only wished to establish bases for security purposes in islands many of which were uninhabited.) Russia seemed to be aiming at the formation of a "Monroe" area from the Baltic to the Adriatic on the west to Port Arthur or beyond on the east.

GREECE

As regards Greece, if we withdrew our troops the result would be increased pressure from the Soviet Government on Greece or some manufactured incident between Bulgaria and Greece. Even if agree-

⁹ Meeting held at the residence of the American Ambassador, Moscow, on December 17, 1945, 2: 45 to 3: 45 p. m. No American record of this meeting has been found.

Telegram 4195, Delsec 7, December 17, 4 p. m., from Moscow, vol. v, p. 1299, reported that the question of the procedure to be followed in establishing diplomatic relations with the newly proclaimed "Federated People's Republic of Yugoslavia" had been taken up with Bevin. Such a discussion with Bevin had been requested in telegram 2521, Secdel 8, December 14, 8 p. m., to Moscow, *ibid.*, p. 1297. No records of British-American discussions at Moscow on the Yugoslav question have been found, but the matter may have been taken up at this meeting.

ment were reached to withdraw Soviet troops from Bulgaria, the threat of the Bulgar army to Greece would remain. Greece had been overrun by two enemies, her economy had completely run down and everything had to be reconstructed. We were doing our best.

DODECANESE

MR. BEVIN recalled that it had been impossible to reach agreement on the cession of the Dodecanese to Greece at the London Conference. We were anxious to withdraw our troops and had thought of handing the administration of the islands over to the Greeks *de facto*. We had, however, hesitated to do this because of the Russian threat.

TURKEY

His Majesty's Government could not be indifferent to a Russian threat to Turkey and would stand by her. We could not agree to the Soviet request for a base in the Straits and for the return of Kars and Ardahan. Mr. Bevin asked if Mr. Byrnes intended to raise the question of the Straits at the present meeting.

MR. BYRNES replied that he did not.

PERSIA

MR. BEVIN suggested that possibly a desire for oil was at the bottom of the Soviet attitude towards Persia. MR. BYRNES doubted this since the Soviet Union had enough oil. MR. BEVIN agreed and thought that Soviet intentions were probably to turn the province of Azerbaijan into a subservient area.

MR. BYRNES said that according to information received from the U.S. Representative at Tehran it was not necessary for the Soviet Government, in order to achieve their aims in Azerbaijan, to retain troops beyond the treaty date, since they would hope to control the province by underground methods after the troops had been withdrawn.¹¹ He was also informed that the inhabitants of the province had a real grievance and that they had not been given the measure of provincial autonomy for which they had asked.¹²

MR. BEVIN agreed that there was something in this and said that we had been urging the Persian Government to consider taking steps to meet the provincial demands.

¹¹ No message of this nature from the Ambassador in Iran has been found in Department files.

¹² Regarding the intention of the Iranian Government to institute some measure of provincial autonomy for Azerbaijan, see telegram 1118, December 13, from Tehran, printed in vol. VIII. In this connection, see also telegram 183, December 20, from the Secretary of State (in Moscow) to the Ambassador in Iran, repeated to the Department as telegram 4229, *ibid.*, directing the Ambassador to inform the Iranian Prime Minister of the advisability for the Iranian Government to make early concessions to the demands formulated by the Azerbaijanians.

MR. BYRNES thought that it would help if the British and American Governments could recommend to the Persian Government that they should grant the necessary provincial freedom; this would cut the ground from under the Soviet Government, who were posing as the defender of democracy in Persia, which offended American sensibilities.

MR. BEVIN agreed that consideration might be given to the three Powers sending representatives to Azerbaijan to report on the position.

Summing up, Mr. Bevin said that he proposed to have a frank talk with M. Molotov and tell him how uneasy Soviet intentions made us. He would ask M. Molotov what the Soviet intentions were. Just as a British admiral, when he saw an island, instinctively wanted to grab it, so the Soviet Government if they saw a piece of land wanted to acquire it. If these were the Soviet intentions we should like to be told in order to know where we stood.

MR. BYRNES approved the idea of a frank talk by Mr. Bevin with M. Molotov, and said that he also intended to see M. Molotov and to raise with him in particular the report of Mr. Ethridge which revealed that the Bulgarian elections had been a farce and that there was a deplorable economic state of affairs in Bulgaria and Roumania. He suggested that Mr. Bevin might see M. Molotov tomorrow morning, that he himself might see M. Molotov later in the day and that the three of them should meet for an informal discussion the following day. This was agreed.

MIDDLE EAST QUESTIONS

THE LEVANT

MR. BEVIN said that he had read some criticisms from the State Department about our recent settlement with the French Government regarding the Levant States.

MR. BYRNES had not heard of this and enquired what was the position.

MR. BEVIN explained that the State Department had criticized the retention of British and French troops in the Levant pending consideration of the status of the States by the United Nations.¹³ We were anxious to withdraw our own troops but could not do so until the French troops left. This they had hitherto been unwilling to do. The settlement which had now been reached, including the references to Anglo-French interests in the Levant, had been introduced mainly in order to save the face of the French. The difficulties had arisen largely owing to the predominant position which had been conceded to the French by the previous British administration.

¹³ For the Department's views regarding a draft agreement between the British and French Governments on the withdrawal of troops from Syria and Lebanon, see note of December 13 to the British Embassy, printed in vol. VIII.

EGYPT

MR. BEVIN explained that we should like to withdraw our troops from Egypt but the Egyptians could not defend Egypt by themselves and we had no other base in the Middle East. He admitted that we had hoped that the trusteeship for Cyrenaica might have been allotted to us (and mentioned in passing that when he had said as much to M. Molotov in London, adding that the arrangement that would suit us best was the allocation of Tripolitania to Italy, M. Molotov had replied "Let us agree").

ATOMIC ENERGY

MR. BEVIN said that we had seen the latest American proposals and would be grateful if Mr. Byrnes would defer circulating a paper on the subject to the Conference until Wednesday morning, by which time we hoped to have received the comments of the Prime Minister and other Ministers. Meanwhile, he wished to make two observations on the American proposals. He suggested, in the first place, that paragraph 8 of the Washington communiqué, providing that the Commission should carry on its task by stages, ought to be included.^{13a} Secondly, it was his provisional view that the Commission ought to report, not to the Assembly but to the Security Council.

With regard to the latter point, MR. BYRNES pointed out that this procedure would enable the Russians to use the veto which would be obviated if the Commission reported to the Assembly. He agreed, however, to consider Mr. Bevin's suggestion.

740.00119 Council/12-2645

*United States Delegation Minutes, Second Formal Session, Conference of Foreign Ministers, Spiridonovka, Moscow, December 17, 1945, 4 p. m.*¹⁴

Present: ¹⁵ Mr. Molotov, Commissar for Foreign Affairs
 Mr. Vyshinski, Vice Commissar for Foreign Affairs
 Mr. Gusev, Soviet Ambassador to London
 Mr. Malik, Soviet Ambassador to Tokyo
 Mr. Tsarapkin, Chief, American Section, NKID
 Mr. Pavlov, Interpreter

^{13a} For text of the Agreed Declaration by President Truman, Prime Minister Attlee, and Prime Minister Mackenzie King, signed at Washington, November 15, 1945, see Department of State, *Treaties and Other International Acts Series No. 1504*; or 60 Stat. (pt. 2) 1479.

¹⁴ A brief report on this meeting was transmitted to Washington by the Secretary of State in telegram 4218, Delsec 13, December 18, 1945, from Moscow, not printed.

¹⁵ The British delegation minutes of this meeting (not printed) list the following additional persons present: for the United States—Edward Page; for the United Kingdom—Pierson J. Dixon.

Mr. Byrnes, Secretary of State
Mr. Harriman, American Ambassador to Moscow
Mr. Cohen, Counselor of Department of State
Dr. Conant, President of Harvard University
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir Archibald Clark Kerr, British Ambassador to
Moscow
Sir R. Campbell, Ambassador
Mr. Sterndale Bennett, Counselor, Far Eastern Department
Mr. McAfee, Interpreter

Subjects: Chairmanship of Conference
Procedure of Meetings
Foreign Ministers Council
Allied Council and Far Eastern Commission
Korea
Japanese in North China

MR. MOLOTOV opened the session. He then proposed that henceforth the conference should follow the rotating chairmanship procedure employed at London as he felt unable to preside exclusively and was anxious that the work of presiding be shared equally among the three Ministers.

MR. BYRNES stated that he did not believe that things would proceed any better on that basis, that Mr. Molotov had presided with great skill and grace in the preceding session, and that he therefore proposed that Mr. Molotov continue to preside at all the sessions.

MR. MOLOTOV repeated his statement that he felt unable to assume the chairmanship alone and that this work would be accomplished more satisfactorily on the basis of rotation. Mr. Molotov asked Mr. Byrnes and Mr. Bevin to consent to this proposal.

MR. BYRNES stated that in as much as the chairmanship did not involve a great amount of work, he hoped that Mr. Molotov would agree to preside.

MR. MOLOTOV replied that he was only proposing to rotate the chairmanship, not to be permanently relieved of this duty.

MR. BEVIN stated that it would be desirable for Mr. Molotov to continue presiding.

MR. MOLOTOV reiterated that he was unable to accept this procedure.

MR. BYRNES stated that he would prefer Mr. Molotov to continue

presiding but that if Mr. Molotov did not wish to do so, there was no alternative but to accept his proposal.

Mr. MOLOTOV thereupon proposed that Mr. Bevin take the chair.

Mr. Molotov stated that he had a further question in mind. The present conference had been contemplated as one which would consider questions informally and in an exploratory way. In this connection he wished to inquire whether the conference intended to adopt any decisions. He proposed that the Ministers arrive at an agreement on this question.

Mr. BYRNES stated that he hoped that the conference would reach decisions whenever possible to do so. He realized that it might not always be possible to reach decision in all matters. In any event matters could be explored, issues drawn, and whenever possible decisions reached.

Mr. BEVIN inquired whether it would not be desirable to replace the word "decision" by the word "understanding". He pointed out that other governments were involved in some of the matters to be discussed. On the other hand, there were certain matters, of concern to the three governments exclusively, upon which decision could be reached. It was not possible to foresee the outcome of the discussion at the outset.

Mr. MOLOTOV observed that as he understood it, Mr. Byrnes thought it might be possible to arrive at decisions whereas Mr. Bevin doubted whether this would be possible. He reiterated his desire to learn whether the conference intended to adopt any decisions, pointing out that he was not insisting upon the adoption of any specific proposal. He merely wished to define the character of the conference.

Mr. BEVIN stated that there might be decisions reached on certain matters and that with regard to other matters there might be obtained an understanding as to what would be the next step. He stated that he did not wish to be too legalistic in approaching this question.

Mr. BYRNES agreed with Mr. Bevin that there would be some cases in which it would be desirable to reach a decision but that in others, owing to the involvement of other powers, or for other reasons, no decision would be reached but an understanding could be reached among the three governments. Each case should be decided on its own merits.

Mr. MOLOTOV stated that he wished to have defined the way in which the present conference differed from previous conferences. In the past there had been no such reservation as expressed in the terms "exploratory and informal".

Mr. BYRNES stated that in London the conference agenda had been assigned to the Foreign Ministers by the heads of the three governments. The present conference, however, bore an informal character

in that the Ministers could discuss any question they desired. He recalled that the idea of periodical meetings of the Foreign Ministers had arisen at Yalta. Mr. Byrnes quoted the section of the Yalta decisions bearing on this point.¹⁶ He added that through the periodic meetings of the Foreign Ministers the three peoples and Governments of the three countries would know that their Foreign Ministers were in close contact with each other. Furthermore, their exchanges of views would make it much easier to reach agreement than through exchanges of correspondence.

MR. MOLOTOV agreed with Mr. Byrnes that the Foreign Ministers conferences were useful, reiterating, however, that there had been no reservations in previous conferences as to the informal and exploratory character of the conference. The decisions of the Yalta and Berlin Conferences had made no mention of such a reservation and Mr. Molotov was anxious to clarify whether any special meaning was attached to it.

MR. BYRNES recalled that the Yalta Conference had been a conference between the three heads of governments. The Foreign Ministers had held meetings in the mornings. Because of the successful results of these morning meetings it had been suggested by the three heads of governments that it would be desirable to continue these meetings. At the Potsdam Conference the Foreign Ministers had been brought together again. At the London Conference there had been an agenda fixed by the heads of government. By the term "informal" Mr. Byrnes merely wished to indicate that, as distinct from the procedure at London, the Foreign Ministers were free at the present Conference to discuss any question whatsoever and were not confined to a predetermined agenda. His thought was only that at the present Conference the Foreign Ministers were not bound to any agenda previously agreed upon but were free to discuss any question.

MR. MOLOTOV stated that as he understood it, then, decisions might be taken on some questions whereas there would be merely an exchange of views on others. He added that this meant that the Conference would proceed on the basis of the decisions of the Yalta Conference and not the Potsdam Conference with regard to the Council of Foreign Ministers.

MR. BEVIN stated that he had not been aware that there were two procedures, one for the Foreign Ministers Council and one for the present Conference.

MR. BYRNES quoted the section of the Yalta decisions bearing on the proposed future conferences of the three Foreign Ministers.

¹⁶ See section VIII of the Report of the Crimea Conference, February 11, 1945, *Conferences at Malta and Yalta*, p. 974.

MR. BEVIN, who had assumed the chairmanship of the session in accordance with Mr. Molotov's proposal, opened a discussion on the first item on the agenda.

1. FOREIGN MINISTERS COUNCIL¹⁷

MR. BEVIN stated that the United States Government had submitted a paper on this subject.¹⁸

MR. BYRNES stated that there was nothing he wished to add to the memorandum which he had circulated yesterday evening on this question. He again called attention to the fact that one change had been made in the final paragraph. He reiterated that paragraph one had been submitted by Mr. Molotov, paragraph two by himself, and that Mr. Molotov had stated that he did not object in principle to this proposal, but had to consult his Government concerning it.

MR. MOLOTOV stated that the Soviet Delegation had a written proposal on this subject, which he circulated (enclosure no. 1).

MR. BEVIN requested a recess of a half hour in order for the American and British delegates to study Mr. Molotov's memorandum.

At the end of this recess, MR. BYRNES stated that he wished to ask one or two questions. With regard to the peace conference, he desired to ascertain whether any country which had not been signatory to an armistice could express its opinion with regard to a peace treaty.¹⁹

MR. MOLOTOV replied that this interpretation was correct.

MR. BYRNES stated that in this case, the peace treaty with Finland could be discussed at the peace conference only by the two powers which had prepared the treaty.

MR. MOLOTOV replied in the affirmative.

MR. BYRNES inquired whether the United States would have to withdraw from the peace conference when this peace treaty was discussed.

MR. MOLOTOV stated that as far as he knew, the United States had never claimed to be a signatory to the armistice with Finland.

MR. BYRNES replied that he had not referred to that point. He wished to know whether the United States would be entitled to express its views or whether it would have to withdraw from the peace conference when the treaty with Finland was discussed.

¹⁷ In the British delegation minutes of this meeting, this agenda item is called "Preparation of Peace Treaties".

¹⁸ Memorandum by the United States delegation and Resolution by the United States delegation, both entitled "Preparation of Peace Treaties" and included as enclosure 2 and sub-enclosure to the United States delegation minutes of the First Formal Session, December 16, pp. 621 and 622, respectively.

¹⁹ In this connection, the British delegation minutes of this meeting at this point read as follows: "When the meeting resumed Mr. BYRNES said that as he understood the Soviet proposal, only the Big Three could for instance speak when peace terms for Roumania were being discussed. M. MOLOTOV said that was correct, as the other Powers were not at war with Roumania." (740.00119-Council/12-2645).

MR. MOLOTOV stated that he believed that the United States would be able to express its views.

MR. BYRNES replied that this was all that he had been concerned about, namely, that each country would be entitled to express its views, although the treaties would be signed by the countries signatory to the armistice.

MR. MOLOTOV replied that the Soviet draft proposal set forth the views of the Soviet Government on this point.

MR. BYRNES stated that there was nothing further for him to say. He stated that the delegates were farther apart on this issue than he had expected them to be and that he would like to pass on to the next item on the agenda and return to the present item later.

MR. BEVIN stated that the Soviet proposal recreated the issue which had arisen in London. He said that the delegates were farther apart than they had been in London, and this had placed him in a very uncomfortable situation. He wished to secure settlement on this point. He pointed out that in accordance with the Soviet proposal France would not be permitted to express its opinion on any peace treaty except the treaty with Italy, despite the fact that France is a European power. He pointed out that he was not talking about the deputies drawing up the peace treaties but about the expression of views on these treaties. He said that the Soviet proposal would exclude the Dominions from a voice in the peace treaties with Bulgaria and Rumania, although the Dominions had participated in the war since 1939. India would be totally excluded although Indian troops had participated in every theater of war and India had signed the Charter of the United Nations Organization. Mr. Bevin expressed the hope that the peace conference would be placed on a much broader basis. He pointed out that the Dominions, although non-signatories to the Bulgarian armistice, had received certified copies thereof as soon as they had been signed. He again reiterated his wish that the conference be placed on a broader basis. He stated that he also would like to know who would convoke the peace conference, whether it would be the Foreign Ministers Council or some other body.

MR. MOLOTOV replied that in his view this question was perfectly clear. Those who signed the armistice terms would call the peace conference.

MR. BEVIN stated that he was in agreement with Mr. Byrnes that this question should be discussed no further at this time.

MR. MOLOTOV stated that he would like to add a few words in explanation of the Soviet proposal. He stated that the French role in preparing the peace treaties had been determined at the Berlin Conference. The Soviet proposal was in accord with this Berlin Conference decision. With regard to the Dominions, their position was sufficiently definite. They had fought against Italy but not against

Bulgaria and Rumania. Nothing was being said here regarding a peace treaty with Germany. It was obvious that in preparing a peace treaty for Germany the number of participants would be much larger. The questions at issue was whether only those countries which took part in the fighting should participate in the preparation of peace treaties. The Soviet Government took the affirmative in this issue, as a matter of principle, and was so guided in its proposal. Nevertheless, the Soviet Government was disposed to place a restricted interpretation upon its proposal with reference to the component republics of the USSR, such as the Ukraine, Belorussia, and certain others. Although these Soviet Republics would have a claim to participate in the preparation of peace treaties, such a claim was not being advanced. The Soviet Government believed that only those states which provided substantial military contingents should participate in the preparation of peace treaties. Those which had not provided such substantial military contingents or which had not actually fought the countries concerned had no basis for participation in the preparation of peace treaties.

MR. BEVIN stated that the Conference would proceed to the next item on the agenda.

2. TERMS OF REFERENCE FOR THE ALLIED COUNCIL AND FAR EASTERN COMMISSION

MR. BYRNES stated that he had distributed three papers on this topic²⁰ at the previous session and would like to receive the views of his colleagues concerning them.

MR. BEVIN inquired whether it was proposed to take a final decision on this question, in as much as it also concerned China.

MR. BYRNES replied that China was, of course, interested and that he would wish to communicate with China with regard to it. However, he hoped that the three Ministers could reach an understanding and in that event it would be very hopeful that China would associate herself with the agreement reached.

MR. BEVIN inquired whether this applied also to the other powers on the Advisory Commission.

MR. BYRNES stated that the Far Eastern Advisory Commission had originally been proposed by four powers and that the other powers had been invited to join it on the terms agreed upon by the four.

MR. BEVIN explained that he had merely wished to be clear on this point.

MR. MOLOTOV stated that the Soviet Delegation was studying Mr. Byrnes' proposal.

²⁰ Included as enclosures 3a, 3b, and 3c to the United States delegation minutes of the First Formal Session, December 16, pp. 623, 624, and 626, respectively.

MR. BYRNES asked whether, in view of that, Mr. Molotov would prefer not to discuss the question on the present occasion.

MR. MOLOTOV replied that it would be better to postpone consideration of this question until the following session.

MR. BEVIN proceeded to the third item on the agenda.

3. THE ESTABLISHMENT OF A UNITED ADMINISTRATION FOR KOREA

MR. BYRNES stated that he had prepared a proposal on this subject which he wished to circulate. (enclosure No. 2).

MR. BEVIN stated that there seemed to be two principles involved in Mr. Byrnes' proposal: the acceptance of the principle of a trusteeship, and the immediate establishment of a unified administration. Although it was obviously necessary to study the details, there would be no violent conflict with regard to these principles. Mr. Bevin stated further that this was the sort of question which the Three Powers might assign to specialists for concrete implementation.

MR. BYRNES stated that he had no desire to request immediate action upon his proposal. The United States Government had merely attempted to put its views in writing. As he had stated at yesterday's session, at Yalta Generalissimo Stalin and President Roosevelt had had only an understanding on this question. The understanding was that a trusteeship would be the wise procedure in the case of Korea. As Mr. Bevin had remarked, there appeared to be agreement upon this in principle and the details could be worked out.

MR. BEVIN had no objection to appointing a committee to draft these details.

MR. MOLOTOV stated that it would be premature to refer the problem to a committee of specialists. It would require some time to study Mr. Byrnes' proposal.

MR. BEVIN proceeded to the fourth item on the agenda.

4. THE DISARMING OF JAPANESE IN, AND THEIR EVACUATION FROM, NORTHERN CHINA

MR. BYRNES stated that he had circulated at the previous session a statement concerning the United States Marine Forces in North China.²¹ Furthermore, a statement had been issued by the President last Sunday morning further clarifying this problem. Mr. Byrnes circulated the latter statement (enclosure No. 3²²).

MR. MOLOTOV said that it would be necessary to study Mr. Byrnes' document.

²¹ Included as enclosure 5 to the United States delegation minutes of the First Formal Session, December 16, p. 628.

²² For text of enclosure 3, containing President Truman's statement regarding the United States policy toward China, see Department of State *Bulletin*, December 16, 1945, p. 945, or *Public Papers of the Presidents: Harry S. Truman*, 1945, p. 543.

MR. BYRNES replied that he had no objection whatsoever. The paper which he had just circulated contained no proposal but was merely a statement of the situation. It set forth what the United States forces were doing in North China and what the President had announced was United States policy there. When Mr. Byrnes had stated that he wished to discuss this subject, it had been his intention to furnish a statement along these lines. Mr. Byrnes was following what he regarded as the purpose of the Conference—that of exchanging views on questions of common interest. He wished to advise his colleagues as to the situation and as to the United States policy in China.

MR. MOLOTOV stated that the documents which Mr. Byrnes had submitted dealt with a question which he believed it would be useful to discuss at the present Conference. He wished to have an opportunity to study these documents.

MR. BEVIN opened the discussion on item five of the agenda.²³

MR. BYRNES stated that he would prefer not to discuss the fifth item at the present session.

MR. BEVIN adjourned the Conference for the day.

[Enclosure 1]

Proposal of the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 17, 1945.

ON THE PREPARATION OF PEACE TREATIES WITH ITALY, ROUMANIA, BULGARIA, HUNGARY AND FINLAND

The Ministers of Foreign Affairs of the United States, the Soviet Union and the United Kingdom have agreed:

1. For the preparation of the terms of peace treaties with Italy, Roumania, Bulgaria, Hungary, and Finland the Council of Foreign Ministers is to be convoked, provided that:

- A) the terms of a peace treaty with Italy will be drafted by the Foreign Ministers of the United Kingdom, the United States, the Soviet Union and France;
- B) the terms of a peace treaty with Roumania, Bulgaria, and Hungary by the Foreign Ministers of the Soviet Union, the United States and the United Kingdom;
- C) the terms of peace treaty with Finland by the Foreign Ministers of the Soviet Union and the United Kingdom.

2. To discuss the terms of peace treaties prepared by the Council of Foreign Ministers under paragraph 1 a Conference will be con-

²³ i.e., Recognition of the Governments of Bulgaria and Rumania.

voked as soon as practicable to which, besides the representatives of the states signatory to the terms of armistice with Italy, Roumania, Bulgaria, Hungary and Finland, (France being regarded as such for the purposes of peace treaty with Italy), shall be invited as well as representatives of the states, which contributed substantial military contingents and actually waged war against the aforementioned countries although not signatory to the terms of armistice, namely: representatives of Yugoslavia at this Conference will take part in the discussion of the terms of peace treaties with Italy, Hungary, and Bulgaria; representatives of Greece—the terms of the peace treaties with Italy and Bulgaria; representatives of Canada, Australia, New Zealand and of the Union of South Africa, Brazil, and Ethiopia—the terms of peace treaty with Italy; representatives of Czechoslovakia—the terms of peace treaty with Hungary.

3. After the conclusion of the Conference provided for in paragraph 2, the states, signatory to the terms of armistice with Italy, Roumania, Bulgaria, Hungary, and Finland or regarded as such (France—for the purposes of peace treaty with Italy) will accordingly draw up final texts of peace treaties.

4. Final texts of peace treaties will be signed by representatives of the Allied States in conformity with paragraph 2.

[Enclosure 2]

Memorandum by the United States Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 17, 1945.

UNIFIED ADMINISTRATION FOR KOREA

We are committed by the Cairo Declaration and by the Potsdam Protocol to the creation of an independent Korea.²⁴ I believe we are all agreed that Korea should achieve its independence at the earliest feasible time and that every effort should be made to assist the Koreans in achieving independence.

In conversations between representatives of our governments the idea of a trusteeship for Korea has been sympathetically considered. It has been generally understood that the trusteeship authority would be composed of representatives of the U.S.S.R., China, the U.K., and the U.S.; and that the period of trusteeship would endure for no

²⁴ The "Cairo Declaration" here cited is the Communiqué of the First Cairo Conference between President Roosevelt, Prime Minister Churchill, and Generalissimo Chiang Kai-shek, released to the press on December 1, 1943; for text, see *Foreign Relations, The Conferences at Cairo and Tehran, 1943*, p. 448, or Department of State *Bulletin*, December 4, 1943, p. 393.

longer period than necessary to allow the Koreans to form an independent, representative, and effective government.

At present Korea is divided into two zones of military administration. North of latitude 38 is the Soviet area; south of latitude 38 is the American area. This division, made before the termination of hostilities to facilitate military operations and the effectuation of the terms of surrender, is manifestly an impediment to the achievement of a unified administration for Korea. No effective liaison or coordination exists between the two military administrations.

The American Government has informed the Soviet Government of some of the more urgent problems that arise out of the division of Korea and has proposed (1) the resumption of exchange of commodities between the two zones including the movement of coal and the release of electric power from the northern zone for use in the southern zone; (2) the resumption of railroad and other traffic between the two zones; (3) the resumption of coastal shipping; (4) the establishment throughout Korea of uniform fiscal policies; and (5) the solution by orderly means of the displaced persons problem, including the return to Japan of Japanese subjects. The U.S. Government has inquired of the Soviet Government whether it is prepared to authorize the Soviet commander in Korea to enter into negotiations with the American commander looking toward a solution of these problems or whether it wishes that these problems be discussed between the two Governments.

The United States Government believes that the immediate objective in Korea should be the creation of a unified administration under the two military commanders acting jointly in all matters of Korean national interest; that is, in matters pertaining to currency, trade and transportation, telecommunications, distribution of electric power, coastal shipping, displaced persons, et cetera. It is envisaged that Koreans would be utilized in so far as practicable in a unified administration both as administrators and as consultants and advisers to the military commanders.

We propose the unified administration described above as a transitory but essential step toward a broadly based non-military administration of Korea looking toward the establishment of an independent Korean Government. We believe that a four-power trusteeship would provide the most feasible machinery for bringing into being an independent Korea. We propose, therefore, that discussions be undertaken as soon as practicable among the four interested powers to set up a unified administration for Korea under a trusteeship agreement.

Our ideas on the provisions of a trusteeship agreement have not taken definite form but tentatively we propose that the agreement

should provide, among other things, for an administering authority (the U.S.S.R., China, the U.K., and the U.S.) acting in behalf of the United Nations and the people of Korea; that the administering authority should exercise such executive, legislative, and judicial authority as may be necessary for the efficient administration of Korea until a free and independent Korean Government is established; that the administering authority should act in accordance with the basic objectives set forth in Article 76 of the Charter of the United Nations; that the administering authority should exercise its powers and functions through a High Commissioner and an Executive Council composed of one representative for each of the States comprising the administering authority; and that the High Commissioner and Executive Council should promote as rapidly as possible the progressive political, economic, and social advancement of the Korean people, and should establish a popularly elected Korean legislature and an adequate Korean judicial system, all for the purpose of bringing into being an independent Korean Government within a period of five years, which might be extended if necessary by agreement among the four states represented on the administering authority for a further period not to exceed five years.

740.00119 Council/12-2645

Memorandum of Conversation, by the United States Delegation at the Moscow Conference of Foreign Ministers ²⁵

Moscow, December 18, 1945.

Present: The Secretary
Ambassador Harriman
Mr. Bohlen
Mr. Molotov
Mr. Vishinsky
Mr. Pavlov

Subject: Ethridge Report on Rumania and Bulgaria
Finnish Peace Treaty
Peace Treaties

THE SECRETARY said he had asked to see Mr. Molotov in order to give him a copy of the report which Mr. Mark Ethridge had made to him concerning Rumania and Bulgaria.²⁶ He said Mr. Molotov would remember from our discussions in London that he had felt that one of the difficulties in the question of these two countries was that

²⁵ Meeting held at the Kremlin, December 18, 1945, 12:15 p. m.

²⁶ See letter of December 8, from Mr. Ethridge to the Secretary of State, vol. v. p. 638.

the divergent views of their Governments resulted from different information. He had always been aware that human beings being the way they were it was possible that the representatives on the spot had been affected by personalities or personal feelings. For this reason when he returned home from London he had sought to find an individual who would be absolutely independent and new to the whole situation and one who had had no connection with either of these countries or the State Department. He had finally selected Mr. Ethridge, a well-known American editor of liberal political views and sympathetic attitude towards the Soviet Union. He had told him before he left that he should obtain information from the officials of the Department of State but not any expressions of opinion and that he should also wipe from his mind completely the fact that the United States had not found it possible to recognize these Governments. In other words he should go to these countries with a completely open and independent mind.

Mr. Ethridge had made his report on December 8 and although he had told the President that his findings would be published he had withheld publication because of the present meeting which would give him an opportunity to show it to Mr. Molotov rather than make it public then. The Secretary added that he had had an unofficial translation prepared for Mr. Molotov's convenience. He said Mr. Ethridge had not found it possible to recommend that recognition be extended to these Governments but had certain suggestions to make to bring about a situation which would permit recognition. He said he hoped that Mr. Molotov would read this report and have some suggestions of his own made bearing in mind responsibilities of the United States Government under the Yalta Declaration concerning interim governments.²⁷ He said he hoped very much some solution could be found which would permit us to recognize these Governments and then to give the peoples of these countries some economic help which they sorely needed.

Mr. Molotov thanked the Secretary but remarked that obviously Mr. Ethridge when he left the United States was aware that the Secretary of State was against the recognition of these countries and that this would have a certain influence on his opinion.

THE SECRETARY said that he had expressly asked Mr. Ethridge to wipe that from his mind and that the whole purpose of sending him there was to get an impartial and fair investigation of the facts. He had told Mr. Ethridge that the President at Potsdam although unable to agree to recognition then had agreed with Marshal Stalin and Prime Minister Attlee that each country would examine separately the situ-

²⁷ Reference is presumably to the Declaration on Liberated Europe, included as section V of the Report of the Crimea Conference, February 11, 1945, *Conferences at Malta and Yalta*, p. 971.

ation. He added that he felt that he had done everything he could in the search of a solution including sending Mr. Ethridge and he hoped Mr. Molotov would have some suggestion for his part.

MR. MOLOTOV thanked the Secretary and said he was grateful for his efforts and those of Mr. Ethridge and that he would study the report.

THE SECRETARY said he thought that when Mr. Molotov had studied the report it would be better for the three Ministers alone with perhaps one adviser each to discuss this question.

MR. MOLOTOV agreed and said he would take advantage of the Secretary's presence to answer an observation he had made yesterday concerning the peace treaties. He did not want to discuss the whole question of peace treaties but only the Secretary's remark concerning the exclusion of the United States from the Finnish treaty. He said that the Secretary of course knew the opinion of the Soviet Government that an exception to the proposed procedure would be made in the case of the United States and that this was entirely natural in view of the relationship of the United States to the war. He said he had had this exception in mind which he regarded as only natural when he had made the proposal yesterday.

THE SECRETARY replied that he had merely asked in order to find out how as written the proposal would operate.

MR. MOLOTOV repeated that they had always intended that an exception should be made of the United States. The same, however, could not be said of France who had no right to claim participation in the Finnish treaty. In regard to Germany and Italy the case was different.

THE SECRETARY said that he had not expected to discuss the peace treaties at this visit but since the matter had been raised he must state that he was disappointed to find that our positions were still so far apart.

MR. MOLOTOV said that he felt that they had moved in the American direction but that the United States had not taken any steps from their London position.

THE SECRETARY replied that he had gathered from Ambassador Harriman's conversation with Marshal Stalin²⁸ that the Soviet position was nearer the American one on the subject of the peace conference than appeared from Mr. Molotov's proposal of yesterday.

MR. MOLOTOV stated that his proposal corresponded exactly and in detail with Stalin's statement to Mr. Harriman.

AMBASSADOR HARRIMAN then outlined his understanding of Marshal Stalin's position, namely, that on the first day he had been in favor

²⁸ Reference here is to conversations of October 24 and 25 at Gagri, between Ambassador Harriman and Generalissimo Stalin; for memoranda of these conversations, see pp. 567 and 575, respectively.

of separate conferences but the second day he had agreed to have one conference at which all the states on the list he had presented would be present and express their views.

MR. MOLOTOV and MR. VISHINSKY said that yesterday's proposal provided for one conference but for different composition depending upon the particular treaty to be discussed and that this was an accurate expression of Marshal Stalin's words.

THE SECRETARY said that he wished to recall the fact that we had abandoned our first position that all five members of the Council of Foreign Ministers should participate in the preparation of the treaties in deference to the Soviet view and that he now felt that the most important question was what states would have the final approval of the treaty and that the conference was less important except that it would give an opportunity to other states to be heard.

MR. MOLOTOV inquired whether the Secretary meant that all 51 of the United Nations should have a right to be heard. He said that it was the view of the Soviet Government that only states which had actively participated in the war against the enemy country in question should be heard. It was necessary to establish some principle in regard to participation in the conference and that the United States in asking only for Brazil had apparently been following that same principle.

THE SECRETARY replied that we had never envisaged invitations to all 51 but merely those falling into the categories mentioned in the American proposal. He said that in our view the war had been one war and that the accidental participation of the forces of some of the United Nations in one theater as against another was not the proper basis to determine their right to participate. He said that all the countries that would be included on our list had actively participated in the war against Germany and had suffered greatly as a result of the war. In the American view Germany and her satellites were all one for this purpose.

MR. MOLOTOV pointed out that for example Norway had not declared war on Finland nor had Poland declared war on Rumania.

MR. BYRNES emphasized that the purpose of the conference was not to afford these other states the right of decision but merely to give them an opportunity to express their views on the draft treaties which had been prepared in accordance with the Soviet formula.

MR. MOLOTOV inquired whether Turkey would be invited since she was a member of the United Nations although in fact she had helped Germany more than the Allies.

THE SECRETARY repeated that the important question was who would decide the final terms and that he felt that as liberal an attitude towards the conference as possible would be most desirable. He said,

however, that Turkey had not been envisaged as a country eligible to be invited.

MR. MOLOTOV pointed out that after the first world war different countries had participated in the peace treaties with the various enemy countries and that the list had not been identical for the various countries.

THE SECRETARY said that as a lawyer he felt that the judge was more important than witnesses and that the main question was to decide who would have the final approval on the peace treaties and thus act as judges, whereas the countries invited to the conference would merely be in the capacity of witnesses. He said the judges can either accept or reject what the witnesses say. He added that Mr. Vishinsky as a lawyer would appreciate this point.

MR. VISHINSKY said he did and that it reminded him of a lawyer's proverb that Turkish judges listened to what witnesses had to say and then always did the exact opposite.

740.00119 Council/12-2645

*United States Delegation Minutes, Third Formal Session, Conference of Foreign Ministers, Spiridonovka, Moscow, December 18, 1945, 4:00-7:15 p. m.*²⁹

Present: ³⁰ Mr. Molotov, Commissar for Foreign Affairs
Mr. Vyshinski, Vice Commissar for Foreign Affairs
Mr. Gusev, Soviet Ambassador to London
Mr. Malik, Soviet Ambassador to Tokyo
Mr. Tsarapkin, Chief, American Section, NKID
Mr. Pavlov, Interpreter
Mr. Byrnes, Secretary of State
Mr. Harriman, American Ambassador to Moscow
Mr. Cohen, Counselor of Department of State
Dr. Conant, President of Harvard University
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir Archibald Clark Kerr, British Ambassador to Moscow

²⁹ A brief report on this meeting was transmitted to Washington by the Secretary of State in telegram 4221, Delsec 15, December 19, 1945, from Moscow (740.00119 Council/12-1945).

³⁰ According to the British delegation minutes of this meeting (not printed) the following additional persons were present: For the United States—Edward Page; for the United Kingdom—Maj. Gen. Ian C. Jacob, John G. Ward of the British Foreign Office, and Pierson J. Dixon.

Sir R. Campbell, Ambassador

Mr. Sterndale Bennett, Counselor, Far Eastern Department

Mr. McAfee, Interpreter

Subjects: Council of Foreign Ministers

Terms of Reference of the Allied Council for Japan and the Far Eastern Commission

1. COUNCIL OF FOREIGN MINISTERS

MR. BYRNES opened the session and presented for discussion Item 1 on the agenda.

MR. BEVIN stated that he found it very difficult to accept the Soviet proposal³¹ on preparation of peace treaties although he was very anxious to see the question settled. There was a wall separating the Delegations with regard to the peace treaties. The war, after all, had been one war.

MR. MOLOTOV admitted that the war had been one war but he could not ignore the fact that some countries had fought in it and others not, that some countries had fought on one side and some on the other. Not all the 51 United Nations were in an equal position in this respect. The United States draft³² drew a distinction between European and non-European nations, which would not be intelligible merely on the principle that the war had been indivisible. Why had only Brazil been singled out among the non-European nations for participation? Turkey was one of the European United Nations but it had not been proposed that Turkey participate in the peace treaties. Thus it was not possible to apply the principle proposed by the United States Delegation that all European members of the United Nations should participate.

Among the five permanent members of the Security Council, China had not claimed to participate. Should China be compelled to do so? Thus the formula of the indivisibility of the war did not dispose of the question at hand.

MR. BYRNES stated that the American formula covered the States which should have the privilege of expressing their views. As a permanent member of the Security Council, China would wish to participate in order to discharge the duties of the Security Council, which were to preserve the peace. The United States Government had urged at first that China and France should participate in the drafting of

³¹ The text of the Soviet proposal on the preparation of peace treaties with Italy, Rumania, Bulgaria, Hungary, and Finland is included as enclosure 1 to the United States delegation minutes of the Second Formal Session of the Conference, December 17, pp. 632, 640.

³² The American proposals on the preparation of peace treaties were included as enclosure 2 and subenclosure to the United States delegation minutes of the First Formal Session of the Conference, December 16, pp. 621 and 622, respectively.

the peace treaties. The Soviet Government had disagreed and it had been impossible to reach agreement. The United States Delegation had surrendered its position and agreed that China should be excluded from the drafting of the peace treaties. But it insisted that China and France, as permanent members of the Security Council, should have the privilege at least of being present and expressing their views concerning the peace treaties.

With regard to the categories "European members of the United Nations", as referred to in the United States draft, Mr. Byrnes wished to state that the United States had not classified Turkey as a European state. There was also another reason why the United States did not insist upon this; namely, that Turkey had not declared war until after the Yalta Conference.

Mr. Byrnes stated that he wished to bring about an agreement in this matter and that in the hope of so doing he was willing to amend the United States proposal by striking out the word "European" in the sentence "together with all the European members of the United Nations" and by striking out the next following line, so that the text would read: "together with all members of the United Nations which actively waged war with substantial military forces against the European members of the Axis".

Mr. Byrnes submitted a list enumerating the nations which would be included in this category (enclosure No. 1³³). This list did not refer to the nations which would finally approve the peace treaties but rather to those which would be privileged to attend the Conference and to present their views. Each one had actively waged war against European members of the Axis. It seemed to him that those countries which had been actively at war should have the privilege of expressing their views regardless of whether those views were accepted.

Mr. Molotov stated that the drafting of peace treaties had no relation to the work of the Security Council. He had read statements to this effect by Mr. Byrnes. The drafting of peace treaties had no relation to any United Nations body. In drafting the peace treaties it was necessary to decide upon a principle for determining which countries were eligible to participate in this work irrespective of their status in the Security Council or United Nations Organization.

The Soviet Delegation proposed the principle that those countries were eligible which had actually waged war and furnished substantial military contingents in the war against one or another of the

³³ Not printed; the States enumerated in the United States delegation list were as follows: United States, Soviet Union, United Kingdom, France, China, Australia, Belgium, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, Poland, Union of South Africa, Yugoslavia, White Russia, and Ukraine.

Axis powers. Accordingly, Mr. Byrnes' formula was correct in principle in that it recognized as the criterion active warfare against an Axis power.

MR. BYRNES repeated aloud the words in the United States draft "together with all members of the United Nations which actually waged war with substantial military forces against European members of the Axis."

MR. MOLOTOV stated that it would be more exact if the formula read "with one or another of the European members of the Axis."

MR. BYRNES replied that his idea was that states which had been at war with any one of the European members of the Axis would have the right to express their views. Thus, the United States would have the privilege of expressing its opinion regarding the peace treaty with Finland although the United States would not sign the treaty. He emphasized the one-war theory. For example, the cooperation of China in fighting the Japanese had made it possible for the United States to contribute all its power to bring about victory in Europe. Thus in inviting China as a permanent member of the Security Council we would be inviting her as a partner who made it possible for the United States to bring all its power to bear in Europe. Mr. Byrnes repeated that China would not be among the states giving final approval to the peace treaties but merely would have the privilege of being present and expressing its views. The only possible objection would be that this would require too much time. However, that could be governed. In this fashion those who desired to express their views would be heard, which was the important thing.

MR. BEVIN declared that the war was an Allied war waged in accordance with strategical and geographical considerations. It was an accident whether a given country had fought in one theater or another. Germany had employed her forces and those of her satellites in accordance with military considerations. Mr. Bevin was concerned not so much with the drafting of the treaties as with what would happen afterward, especially in so far as UNO was concerned. The United Nations Organization was responsible for the observance of the peace treaties. Looking to the future, would it be wise to adopt an exclusive policy according to which certain countries would merely be told that they were expected in the United Nations Organization to see to it that the peace treaties are observed? If there should be consultation in as wide an area as possible, following the more liberal lines of discrimination of the United States proposal, would that not imply acquiescence and agreement to enforce the peace treaties? This course, which was not too rigid but on the other hand recognized differences among the United Nations, would be a reasonable compromise and would do injustice to no country. If Mr. Bevin correctly understood

the United States proposal, this proposal was in accordance with the conclusion drawn from previous discussions that the preparation of the peace treaties would be in the hands of those countries named in the Soviet proposal. The next thing would be to provide for wide consultation. The final stage would re-create the original arrangement as formulated in the Soviet proposal. Mr. Bevin then inquired whether he had correctly understood the United States proposal.

MR. BYRNES replied that Mr. Bevin had correctly understood the first and second stages. He pointed out, however, that there was a difference between the United States and Soviet proposals as regards the final stage of peace treaty procedure. According to the United States proposal the treaty terms would be given final approval by the states which had been at war with the countries in question. However, according to the Soviet proposal those giving final approval would be limited to states which had signed the armistice terms. Mr. Byrnes submitted that this was an important question, which he was willing to discuss in an effort to reach agreement. He had never taken an inflexible position in the matter. He was willing to discuss the question of the final approval of the peace treaties and wished to hear the views of his colleagues upon it. Mr. Byrnes called attention to the fact that at the Berlin Conference the heads of government, when drafting the provision for the Council of Foreign Ministers, had said that the immediate task of the Council was to draft peace treaties with a view toward their submission to the United Nations. It would be possible to justify failure to submit the treaties to all the United Nations in so far as their drafting was concerned in view of other decisions of the Berlin Conference. But the smaller nations of the United Nations had ground for arguing that the peace treaties should be submitted to them. Mr. Byrnes was satisfied that it would be in the interest of the Big Three to give no ground for the opinion that they were denying to the members of the United Nations the power or opportunity to express their opinions. He could not believe that Generalissimo Stalin, President Truman and Prime Minister Attlee had intended that the peace treaties should be submitted to the members of the United Nations without giving them a hearing. This would be merely saying: "Sign on the dotted line." If the treaties were to be submitted to them, then there should be no question of not abiding by this decision, regardless of how the matter was interpreted. The justification for not inviting all the states was that it would be more practical to limit the number to those states which had actively waged war, as in the United States proposal.

MR. MOLOTOV stated that with regard to the participation of the United States in the peace treaty with Finland, there was no doubt but that the United States would have an opportunity to participate.

The Soviet Delegation had always recognized the right of the United States to do so and every one would appreciate that fact. But there were exceptions to the rule. China had not participated in the European war. Mr. Byrnes had referred to China as a member of the Security Council. However, it was not the task of the Security Council to draft the peace treaties. Applying Mr. Byrnes' criterion of active participation in the war against European members of the Axis, it was clear that China was not covered in this formula.

With further regard to the remark of Mr. Byrnes, the Soviet proposal referred to the necessity of convoking a conference but at the same time gave consideration to the principle upon which this conference would be convoked. This principle was that all the United Nations which had actively engaged one or another of the European members of the Axis would participate in discussions of a given peace treaty. Comparing the final paragraphs of the United States and Soviet proposals, paragraph 4 of the Soviet proposal provided that the final text of the treaties would be signed not only by the signatories to the armistice agreements but also by those United Nations which under paragraph 2 had been supplying substantial military contingents. On the other hand, paragraph 3 of the United States proposal provided that the terms of the peace treaties would be finally approved by those among the states invited which had waged war against the enemy states in question. Both proposals referred to states which had actually waged war. Therefore, the distinction was not clear between paragraph 3 of the United States proposal and paragraph 4 of the Soviet proposal. It appeared that Mr. Bevin saw no difference between these two paragraphs.

MR. BEVIN [said he?] did not understand either paragraph. Did paragraph 4 of the Soviet proposal mean that all the states mentioned in paragraph 2 would sign all the treaties, or that only the countries which drafted a treaty would sign it? For example, would the Italian peace treaty be signed by just the four countries drafting it?

MR. MOLOTOV said that paragraph 2 of the Soviet proposal stated explicitly which countries would participate in the discussions on each peace treaty. Those countries would be the ones to sign them. Thus Yugoslavia would sign the treaties with Bulgaria, Hungary and Italy. Greece would participate in discussing the peace treaties with Italy and Bulgaria and would sign these treaties. The Hungarian treaty would be signed not only by the Big Three but by Czechoslovakia. The Finnish treaty would be discussed by the Soviet Union, Great Britain and the United States but signed by the Soviet Union and Great Britain.

MR. BEVIN stated that he was in a difficulty. He took it for granted that the treaties would be signed by the countries which drafted them.

However, other nations which had declared war against an enemy state would, according to international law, remain at war with that state unless they too signed the peace treaty.

MR. MOLOTOV replied that Czechoslovakia had declared war on Finland but inquired why Czechoslovakia should sign a peace treaty with Finland. Czechoslovakia's signature would not be needed. Neither Great Britain nor the Soviet Union was in need of Czechoslovakia's signature.

MR. BEVIN said that in the case of any country which had declared war some action would have to be taken to set matters right.

MR. MOLOTOV replied that this was a technicality which could easily be taken care of. Costa Rica had declared war on Rumania but would determine its relations with Rumania after the peace treaty had been signed.

MR. BYRNES stated that when the heads of government had agreed at Berlin that the peace treaties should be submitted to the United Nations, they meant that the treaties, when finally drafted, would be submitted to the countries which had been at war. It had always been the United States view that any given treaty would be submitted to any country which had declared war. The countries would in this fashion have been given an opportunity to agree or not to agree to the peace treaty which had been arrived at.

MR. MOLOTOV inquired whether Costa Rica would be expected to sign the peace treaty with Rumania.

MR. BYRNES replied that Costa Rica might be given an opportunity to sign the peace treaty. However, Costa Rica would not be invited to participate in drafting the treaty since it had not actually waged war against Rumania.

MR. BYRNES explained to Mr. Bevin that paragraph 3 of the Soviet proposal corresponded with paragraph 3 of the United States proposal. The United States proposal contains no paragraph relative to the formal signing of the treaties since the United States Government had regarded this as a matter of course. The difference between the two proposals was that paragraph 3 of the Soviet proposal provided that the texts would be finally approved by the signatories of the armistice agreements, whereas paragraph 3 of the United States proposal provided for final approval by those of the states invited which had been at war with the given enemy state. By final approval the United States proposal meant the drafting of the final text.

MR. MOLOTOV stated that he now understood the distinction.

MR. BEVIN declared that this was not exactly a technicality. He pointed out that the Dominions had been at war with Finland, Rumania and Hungary. Australia, New Zealand and South Africa had been at war with Bulgaria although Canada had not. Therefore

this was not merely a technicality. It was necessary for the treaties to be signed since the establishment of various commercial and other peacetime relations could only be made possible on this basis. From the standpoint of countries which indulged in overseas trade, it was important that this matter be clarified.

Mr. Bevin desired that those countries which had been at war should be permitted to sign the peace treaties.

Mr. Molotov reminded Mr. Bevin that the British Ambassador had signed the armistice agreement with Finland on behalf of the whole British Commonwealth including the Dominions. The same principle should be applied in the case of peace treaties. With the British signature of the Finnish armistice, Canada's signature had been dispensed with. Czechoslovakia was the only country among those which had declared war on Finland which had not been represented in the armistice signatures.

Mr. Bevin replied that the Dominions might be "infuriated" if he were to agree without consulting them to sign the peace treaties on their behalf. He pointed out that the Soviet Union had at times signed documents on Great Britain's behalf.

Mr. Molotov replied that the Soviet Union had been authorized to do so.

Mr. Bevin stated that authorization was something which it was necessary to obtain. He pointed out that at Versailles each Dominion had insisted upon signing on its own behalf. He could not assume that he would be given authority to sign on their behalf. The Dominions might decide that this was necessary for them to do themselves. However, if willing, they could authorize him to sign on their behalf. India had always insisted upon signing herself.

Mr. Byrnes interrupted to say that in his view the important issue was that of paragraph 3, namely, which states would finally approve the treaties. No one could object to any nation's signing the treaties. The Foreign Ministers would have done their part when they had submitted peace treaty drafts which they considered wise and just. Other states could decide whether to sign the treaties or to continue in a formal state of war. Mr. Byrnes had always regarded this as a matter of course. The important matter was the determination of the final terms of peace treaties.

With regard to the question of giving countries an opportunity to express their views, Mr. Byrnes wished to urge upon Mr. Molotov once more that this was, after all, one war. In point of fact, the United States had been able to conduct only limited operations in the Balkans. That was because strategy had determined that the United States should invade through Normandy and not through the

Balkans. Had it been decided by the military to invade the Balkans first, the United States would have played a much more active role in the war there. As partners in a common venture each of the Allies had served where it could serve best. China had performed a great service by holding the Japanese and giving the United States an opportunity to furnish more aid to those engaged in Europe. Norwegian shipping had helped to supply the United States Air Force in its bombing operations. These other states would merely be given an opportunity to come to the conference and present their views. This would do no harm but on the contrary would give the world confidence in the fairness of the Big Three.

MR. BEVIN remarked that Norway had lost one-third of its seamen in the war.

MR. MOLOTOV stated that China had not lost a single soldier in Europe.

MR. BYRNES stated that if governments were given an opportunity to be present at the peace conference, there would be no difficulty in finding a formula. With regard to China and France, they were members of the Foreign Ministers Council. There was no question of their being charged with the duty of drafting the treaties. The United States had agreed with the Soviet position in that respect, but there was a provision that they could be present, if not as members of the Security Council, then, in accordance with the Berlin decisions, as members of the Foreign Ministers Council. The heads of government had made them members of the Foreign Ministers Council and they might be invited as associates of the Big Three on that body. They would be given the same privilege as that furnished Brazil, namely, the privilege of expressing their views for those drafting the treaties to consider.

MR. MOLOTOV said that it was necessary to agree upon a principle determining the invitation to the peace conference.

MR. BYRNES stated that with further regard to China, the heads of government had evidently presupposed that China would participate in the peace conference as otherwise they would not have made China a member of the Foreign Ministers Council. If France and China were invited in their capacity as members of the Foreign Ministers Council this would not involve voting privileges. Under this procedure the peace conference would be convoked by the Foreign Ministers Council to consider peace treaties drafted by the Deputies under the formula suggested by the Soviet Government. There would be at the conference the five members of the Foreign Ministers Council and the states which had actively waged war with substantial military forces against the European members of the Axis. When

these states had listened and expressed their views, then the peace treaties would be drafted by the countries which in the decision of the present conference would be entitled to draft the final texts. It was necessary for the present meeting to decide which countries would draft the final texts. If agreement could be reached on this matter, there would be no difficulty over the question of inviting others to express their views.

MR. BEVIN inferred from Mr. Byrnes' remarks that the conference itself would consist of the list of countries presented by Mr. Byrnes. He was clear as to which countries would draft the treaties and finally approve them, but not as to the countries which would constitute the peace conference itself.

MR. MOLOTOV proposed the principle that those countries which contributed substantial military contingents and actually waged war against specific countries would participate in the discussions of the respective peace treaties. If the principle could be determined governing participation in the peace conference, then it would be easy to draw up a list of the participants.

MR. BEVIN stated that he would like to see the actual list.

MR. MOLOTOV agreed that the Soviet Delegation would submit such a list.

MR. BEVIN stated that it was a question of what was meant by "substantial military aid". England had been at war with Bulgaria—he could not recall exactly how long before others had declared war on Bulgaria. The Dominions had furnished bombers and supplied explosives, et cetera, in these operations. He was quite sure they would never agree to the theory that these were separate wars. England had never inquired as to where Germany procured its oil—from Rumania or elsewhere—but nonetheless London had been bombed. He considered it better to have a conference along the lines of the United States formula, to hear the views of all on all treaties, and in the last analysis to leave the decision as to who finally approved the treaties to the limited group. The present United States proposal had approved the head and tail of the Soviet proposal. The middle, that representing the United States position, would give satisfaction to a wide circle of states. He hoped that the Soviet Government would agree with the British and United States Governments on this.

MR. BYRNES stated that there was a difference between paragraph 3 of the United States proposal and paragraph 3 of the Soviet proposal. However, he was willing to make one more concession in an effort to come to an agreement. He would surrender paragraph 3 of the United States proposal in favor of paragraph 3 of the Soviet proposal provided that Mr. Molotov agreed to allow the conference to proceed in accordance with the United States proposal.

MR. MOLOTOV replied that it was necessary to study the United States list, which appeared too extensive. The Soviet Delegation would submit a list of states which in its opinion should be eligible to express their views.

MR. BYRNES stated that the United States had made a concession in regard to the procedure of drafting peace treaties. Again in the all-important matter of the final step, he had agreed to do as the Soviet Government desired. The three Governments could not be brought into agreement if all concessions were on one side. All that the United States asked in return for conceding what Mr. Molotov asked for was that the small governments enumerated on its list should be given an opportunity to be heard before action was taken.

MR. MOLOTOV replied that the question was not one of concessions on the part of the Soviet Delegation. The Soviet Delegation did not request any concessions. He remarked that the meeting had now returned to what the Big Three had decided at Berlin last August. The Soviet Delegation did not ask for concessions; it only desired to carry out their formal decisions. Therefore it was necessary to agree as to the principle of the peace conference in such a way as to give satisfaction to all those present, as well as to be fair to other states. The principle was that those states which actually waged war against given enemy states should participate in the conference. Mr. Molotov anticipated that the list of participants would be considerably larger in the case of the German peace treaty. He promised to submit a list of states which in the Soviet view should participate in the drafting of the several peace treaties.

MR. BYRNES replied that it had been President Truman's understanding at Berlin that all the members of the Foreign Ministers Council would be allowed to be present at and participate in the discussion of the peace treaties. Mr. Attlee had also had this understanding. Thus this opinion was supported by two out of the three heads of government. Nevertheless the United States had now conceded that the Soviet view should prevail and that the matter was settled.

The Berlin decisions said nothing concerning the peace conference and that question accordingly was up to the Foreign Ministers to settle. The United States had desired the conference to be as broad as possible, but in the hope of reaching agreement with the Soviet Government had made the restriction specified in the United States proposal as it now read. The United States had desired others to participate in approving the final texts, but in order to reach agreement had accepted the Soviet point of view. Mr. Byrnes did not mind making concessions because, when several parties were interested,

each would have to make some concession in order for all to reach agreement.

MR. BEVIN apologized for having previously confused paragraphs 3 and 4, signatures and final approval.

MR. BYRNES stated that if Mr. Molotov would agree to a broad conference he would agree to the restricted language which Mr. Molotov proposed in paragraph 3 of the Soviet proposal.

MR. BEVIN stated that he was troubled about the Dominions. He would like to see the proposal in final form.

MR. BYRNES reiterated that, in the hope of reaching agreement, he had consented to accept Mr. Molotov's final paragraph. He agreed to Mr. Molotov's idea concerning who should be the judges provided that Mr. Molotov agreed to his idea concerning who should be the witnesses. By the "judges" he meant the countries drafting the treaties; by the "witnesses" the countries expressing their views.

MR. MOLOTOV stated that he would present a list expressing the view of the Soviet Delegation as to which countries were eligible to participate in the conference discussion. Furthermore he would study Mr. Byrnes' list.

After a brief recess MR. BYRNES proceeded to the second point on the agenda.

2. TERMS OF REFERENCE OF THE ALLIED COUNCIL FOR JAPAN AND THE FAR EASTERN COMMISSION

MR. BYRNES stated that the United States Delegation had presented its views on this subject and that there was nothing he wished to add. He inquired concerning the views of his colleagues.

MR. MOLOTOV said that the Soviet Government had expressed its opinion on this question more than once during the recent Moscow negotiations between the United States and Soviet Governments.

MR. BEVIN stated that he knew about the negotiations but was uninformed concerning precise views which had been formulated therein.

MR. MOLOTOV observed that according to the United States paper ³⁴ the British and Chinese Governments had been informed of the negotiations.

MR. BYRNES understood that it had been communicated to Great Britain, and that the United States was in communication with the Soviet Government in an attempt to reach an agreement on this matter.

³⁴ United States delegation memoranda regarding the revision of the terms of reference of the Far Eastern Commission and the Allied Council (for Japan) are included as enclosures 3a, 3b, and 3c to the United States delegation minutes of the First Formal Session of the Conference, December 16, pp. 623, 624, and 626, respectively.

MR. BEVIN stated that he had been informed of the talks but had not heretofore been informed of their conclusions. He inquired whether the paper in hand was an agreed text between the United States and the Soviet Union.

MR. BYRNES said that there had been no agreement reached.

MR. MOLOTOV stated that he had not referred to an agreed text.

MR. BYRNES stated that although no agreement had been reached, the United States Government had attempted as a result of the conversations to go as far as possible toward meeting the views of the Soviet Government. About two weeks ago the representative of Great Britain in Washington had been given a memorandum containing the United States proposals.

MR. MOLOTOV expressed the hope that the British Government took a favorable view of these negotiations.

MR. BEVIN said that he merely wished to know what it was that he was being asked to agree to.

MR. BYRNES said that the text was contained in the two papers which he had circulated at the opening session.

MR. BEVIN understood that the discussions had been inconclusive. Amendments had been proposed. However, Mr. Bevin did not know whether these amendments had been adopted. He wished to see a draft of what had been agreed to.

MR. MOLOTOV stated that in his view Mr. Byrnes had stated his proposals in sufficiently definite fashion. In the view of the Soviet Government the negotiations of the past two months had been both useful and fruitful. Mr. Molotov believed that the proposals presented by Mr. Byrnes could be the basis of further discussion. The Soviet Delegation, however, desired to make certain amendments. It had now become easier to propose these amendments since the United States and Soviet views had come closer than in the beginning. This was the Soviet view concerning the progress of the negotiations to date.

MR. BYRNES inquired what amendments Mr. Molotov had in mind.

MR. MOLOTOV stated that he was interested in the attitude of the British Delegation with regard to the proposals.

MR. BEVIN stated that they were generally acceptable but that the British Delegation would have some suggestions to make which were not vital.

MR. MOLOTOV circulated copies in Russian of the proposed Soviet amendments to the United States proposals concerning the terms of reference of the Allied Council for Japan and the Far Eastern Commission.³⁵

³⁵ The Soviet proposals are included as enclosures 2a and 2b, pp. 661 and 662, respectively.

MR. BYRNES stated that it would be necessary to have this document translated.

MR. MOLOTOV said that the Soviet Delegation was also interested in amendments which the British Delegation might propose.

MR. BYRNES proceeded to the open discussion on the question of an independent government for Korea, but MR. MOLOTOV requested that this be postponed until the following session as the Soviet Delegation had not concluded its study of the United States draft proposal.

MR. BYRNES proceeded to item 4, the disarmament of Japanese forces in North China and their evacuation to Japan. He then proposed that a special meeting be arranged in which the Ministers could discuss the several matters referring to troop withdrawals. It had been understood that an informal meeting would take place on these matters and Mr. Byrnes proposed that such a meeting be held tomorrow.

MR. MOLOTOV stated that the Soviet Delegation had not yet completed its study of the documents on item 4. This would require some time and he would inform his colleagues as soon as the study had been completed.

MR. BYRNES said that there were several questions on which it had been agreed to have informal discussions including the withdrawal of troops from Iran and Greece and the transfer of control over Manchuria. He suggested that the meeting to discuss these matters be held tomorrow around noon time.

MR. MOLOTOV agreed to this with the qualification that the Soviet Delegation had not concluded its study of the documents on North China.

It was agreed that the meeting proposed by Mr. Byrnes would be held in Mr. Molotov's office at 12 noon tomorrow.

MR. BYRNES then circulated a United States paper on the atomic bomb.³⁸

MR. MOLOTOV inquired whether this document had previously been published.

MR. BYRNES replied that it had not.

Mr. Byrnes adjourned the meeting at 7:15.

[Enclosure 1]

[Enclosure 1 set forth the names of the States to be invited to the peace conference to discuss the peace treaties, as proposed by the

³⁸ The United States delegation memorandum is included as enclosure 3 to these minutes, p. 663.

United States delegation; for the list of these names, see footnote 33, page 649.]

[Enclosure 2a]

Proposal of the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 18, 1945.

THE ALLIED COUNCIL FOR JAPAN

The Soviet Delegation proposes the following amendments to the draft of the American Delegation of December 16:³⁹

Point 1. Point 1 to be worded as follows:

“There shall be established an Allied Control Council (Allied Control Commission) with its seat in Tokyo under chairmanship of the Supreme Commander for the Allied Powers (or his Deputy) for the purpose of control over the execution of the terms of surrender of Japan and for the purpose of consulting with and advising the Supreme Commander in regard to the implementation of the terms of surrender and occupation of Japan and also for fulfilling directives supplementary thereto.”

Point 2. In the last sentence of this point the words:

“the size of which shall be fixed in agreement with the Chairman of the Council”

to read:

“consisting of military and civilian representation.”

Point 4. In place of the words:

“He will consult and advise with the Council upon orders involving questions of principle, in advance of their issuance, the exigencies of the situation permitting. His decisions upon all matters shall be controlling.”

to say as follows:

“On questions concerning the implementation of decrees of the Far Eastern Commission the decisions of the Supreme Commander shall be final with the exception of questions of principle, such as questions concerning a change in the regime of control over Japan, changes in the constitutional structure, of a change in the Japanese Government as a whole. In the event that a member of the Council disagrees with the Supreme Commander (or his Deputy) regarding the implementation of the aforementioned decrees involving questions of principle, the decisions of the Supreme Commander on these questions will not

³⁹ For the text of the United States delegation's proposed revision of the terms of reference of the Allied Council, see enclosure 3c to the United States delegation minutes of the First Formal Session of the Conference, December 16, p. 626.

be put into effect prior to agreement (*soglasovanie*) on these questions in the Far Eastern Commission.

In cases of necessity the Supreme Commander may take decisions concerning the change of individual ministers of the Japanese Government after appropriate preliminary consultation with representatives of the other Allied Powers on the Allied Control Council (Allied Control Commission)".

Point 5. To delete Point 5 in view of the fact that this point is covered by Point 4.

[Enclosure 2b]

Proposal of the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 18, 1945.

THE FAR EASTERN COMMISSION

The Soviet Delegation proposes the following amendments to the draft of the American Delegation of December 16:⁴⁰

Article I to be worded as follows: "The Governments of the Union of Soviet Socialist Republics, China, the United Kingdom, the United States, France, the Netherlands, Canada, Australia, New Zealand and the Philippines hereby establish a Far Eastern Commission composed of representatives of the participating powers."

Article II C to be worded as follows: "The Commission in its activities will proceed from the fact that there has been formed an Allied Control Council (Allied Control Commission for Japan) and will respect existing control machinery in Japan, including the chain of command from the United States Government to the Supreme Commander and the Supreme Commander's command of occupation forces."

Article III(3) to be worded as follows: "Any directives dealing with fundamental changes in Japanese constitutional structure or in the regime of occupation or dealing with a change in the Japanese Government as a whole will only be issued following consultation and following the attainment of agreement in the Far Eastern Commission."

Article III(4) to be deleted.

⁴⁰ For text of the United States delegation's proposed revision of the terms of reference of the Far Eastern Commission, see enclosure 3b to the United States delegation minutes of the First Formal Session of the Conference, December 16, p. 624.

[Enclosure 3]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 18, 1945.

UNITED STATES PROPOSALS ON ATOMIC ENERGY

It is the earnest desire of the United States to collaborate with other nations for the purpose of developing with the greatest practicable speed international measures to prevent the use for destructive purposes of atomic energy and other means of mass destruction, and to promote the use of atomic energy and other scientific advances for the benefit of mankind.

The President of the United States announced on October 3, 1945, that, in furtherance of this purpose, it was the intention of this Government to hold conversations with the other Governments associated with it in the development and use of atomic energy, and subsequently with other governments.⁴¹ The first step having been taken, it is now desired, as the next step, to hold exploratory conversations with the Soviet Government in regard to this matter which is of such vital importance to the peace and well-being of the peoples of the world.

As the Soviet Government is aware, the Governments of Great Britain, Canada and the United States believe that a commission should be established under the United Nations Organization to study the problems raised by the discovery of atomic energy and other related matters and to make recommendations for submission to the Organization. It is suggested that the five permanent members of the Security Council, together with Canada, should join in the sponsorship of a proposal to this effect at the first meeting of the United Nations in January 1946. It is the hope of this Government that the Governments of the U.S.S.R. and of the United Kingdom will fall in with this suggestion and will join in recommending it to the Governments of China, France and Canada. A draft embodying the present views of the Government of the United States as to the method of establishing the Commission is submitted herewith. It is the desire of this Government to have a full exchange of views on this draft.

In connection with these proposals we call attention to the following statements taken from the Declaration on Atomic Energy issued by

⁴¹ For relevant excerpts from President Truman's message of October 3, 1945, to the Congress on the subject of the international control of atomic energy, see Department of State *Bulletin*, October 7, 1945, p. 514.

President Truman and Prime Minister Attlee and W. L. Mackenzie King of Canada on November 15, 1945: ⁴²

"(4) Representing as we do, the three countries which possess the knowledge essential to the use of atomic energy, we declare at the outset our willingness, as a first contribution, to proceed with the exchange of fundamental scientific information and the interchange of scientists and scientific literature for peaceful ends with any nation that will fully reciprocate.

"(5) We believe that the fruits of scientific research should be made available to all nations, and that freedom of investigation and free interchange of ideas are essential to the progress of knowledge. In pursuance of this policy, the basic scientific information essential to the development of atomic energy for peaceful purposes has already been made available to the world. It is our intention that all further information of this character that may become available from time to time shall be similarly treated. We trust that other nations will adopt the same policy, thereby creating an atmosphere of reciprocal confidence in which political agreement and cooperation will flourish.

"(6) We have considered the question of the disclosure of detailed information concerning the practical industrial application of atomic energy. The military exploitation of atomic energy depends, in large part, upon the same methods and processes as would be required for industrial uses.

"We are not convinced that the spreading of the specialized information regarding the practical application of atomic energy, before it is possible to devise effective, reciprocal, and enforceable safeguards acceptable to all nations, would contribute to a constructive solution of the problem of the atomic bomb.

"On the contrary we think it might have the opposite effect. We are, however, prepared to share, on a reciprocal basis with others of the United Nations, detailed information concerning the practical industrial application of atomic energy just as soon as effective enforceable safeguards against its use for destructive purposes can be devised."

["(8) The work of the Commission should proceed by separate stages, the successful completion of each one of which will develop the necessary confidence of the world before the next stage is undertaken. Specifically it is considered that the commission might well devote its attention first to the wide exchange of scientists and scientific information, and as a second stage to the development of full knowledge concerning natural resources of raw materials."] ⁴³

⁴² For text of the Declaration on Atomic Energy, see Department of State, *Treaties and Other International Acts Series No. 1504*, or 60 Stat. (pt. 3) 1479.

⁴³ This final paragraph was not included in the United States memorandum as originally circulated at the Third Formal Session of the Conference but was circulated as an addition by the United States delegation in the course of the Fifth Formal Session of the Conference, December 20, p. 692.

[Annex]

PROPOSED RECOMMENDATIONS FOR THE ESTABLISHMENT BY THE UNITED NATIONS OF A COMMISSION TO DEAL WITH THE PROBLEMS RAISED BY THE DISCOVERY OF ATOMIC ENERGY AND OTHER RELATED MATTERS

I. ESTABLISHMENT OF THE COMMISSION

The Commission should be established by the General Assembly which is the only body, under the terms of the Charter, possessing the authority to examine the entire problem of atomic energy.

II. REPORTS OF THE COMMISSION

The reports of the Commission should be made to the General Assembly for transmission to the members of the United Nations, the Security Council, and the Economic and Social Council. The General Assembly should also request action of the Security Council and the Economic and Social Council on those aspects of the reports which require action, and which fall within the respective jurisdiction of those bodies.

III. COMPOSITION OF THE COMMISSION

The Commission should be composed of one representative each of those nations represented on the Security Council, and Canada when that nation is not a member of the Security Council. Each representative on the Commission should have such assistants as he may desire.

IV. RULES OF PROCEDURE

The Commission should establish its own rules of procedure, and have whatever staff may be deemed necessary.

V. TERMS OF REFERENCE OF THE COMMISSION

The Commission should proceed with the utmost dispatch and inquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular, the Commission should make specific proposals:

(a) For extending between all nations the exchange of basic scientific information for peaceful ends,

(b) For control of atomic energy to the extent necessary to insure its use only for peaceful purposes,

(c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction,

(d) For effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.

The Commission should not infringe upon the responsibility of any organ of the United Nations, but should present recommendations for

the consideration of those organs in the performance of their tasks under the terms of the United Nations Charter.

[A meeting between M. Molotov, accompanied by M. Vyshinsky and M. Pavlov, and Mr. Bevin, accompanied by Ambassador Kerr and Mr. McAfee, took place on the afternoon of December 18. M. Molotov and Mr. Bevin outlined the positions of their Governments on various issues, particularly Greece, the Balkans, Iran, Indonesia, and India. A record of this meeting (not printed) was given by Ambassador Clark Kerr to Ambassador Harriman on the same day.]

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, Moscow, Spiridonovka, December 19 1945, noon

Present:

The Secretary	Mr. Bevin	Mr. Molotov
Ambassador Harriman	Sir Alexander Cadogan	Mr. Vyshinski
Mr. Bohlen	Sir Archibald Clark Kerr	Ambassador Gusev
	Mr. McAfee	Mr. Pavlov

Subject: Situation in Manchuria and North China
Removal of troops from Austria
Countries to discuss peace treaties

THE SECRETARY said that this was the first of the informal restricted meetings which had been agreed to be held on questions not formally on the agenda. He said that in regard to North China he had proposed this item in order to give an opportunity for the three of them to discuss both the situation in North China and that in Manchuria primarily to make sure that each understood what the other was doing since our objectives were identical. At Potsdam the three Governments had agreed as to the Cairo Declaration and subsequently as to the Potsdam Declaration, which was to the effect that the Chinese Government would receive the surrender of Japanese troops and that stolen Chinese territory would be restored to China.⁴⁴ The Secretary said that two weeks ago in Washington the Chinese Ambassador had told him of the troubles they were having in regard to revolutionists in China. He said he called them revolutionists since he remembered Generalissimo Stalin telling the President at Potsdam that they were

⁴⁴ For text of the Press Communiqué, released to the press on December 1, 1943, following the conclusion of the conference in Cairo between President Roosevelt, Prime Minister Churchill, and Generalissimo Chiang Kai-shek, see *Conferences at Cairo and Tehran*, p. 448, or Department of State *Bulletin*, December 4, 1943, p. 393. For text of the Proclamation by the Heads of Governments of the United States, China, and the United Kingdom, dated July 26, 1945, see *Conference of Berlin (Potsdam)*, vol. II, p. 1474.

not communists. He added that the information which Mr. Molotov had given him two days ago concerning the Chinese request that the Soviet Government leave its troops in Manchuria until February 1 had made clear the present situation in Manchuria.⁴⁵

MR. MOLOTOV answered that the Chinese Government had first proposed in October that Soviet troops be left until January 1 but for technical reasons connected with their movements it had been agreed to leave them until February 1. He said that had it not been for this Chinese request, Soviet troops would now have been completely out of Manchuria. As it was, they had evacuated southern Manchuria.

THE SECRETARY said that in North China the situation was complicated. There were 300,000 Japanese troops which had not yet been disarmed and that the Chinese National Government did not have sufficient troops on the spot to do this. He said that under the various agreements to support the Central Government they had all agreed that the forces of Chiang Kai-shek would take the surrender. He said our desire was to have these troops disarmed and evacuated to Japan as soon as possible and at the same time to avoid interference in China's domestic affairs. One difficulty was the shortage of shipping, but we hoped to obtain additional ships and speed up the evacuation of the Japanese. He said the other difficulty was that the revolutionist or communist forces in North China were in between the nationalist forces and the 300,000 Japanese he had spoken of. In addition, while not organized into regular armies, the revolutionists numbered some 400,000. Chiang Kai-shek had only 100,000 in the area. This was caused by the fact that Chiang Kai-shek had sent troops to Manchuria and needed some time in order to assemble and move to North China additional forces. It was for this reason that the United States was leaving its marines in North China. The Secretary said that General Marshall's instructions were first to attempt to get a truce agreed upon in North China between the nationalist forces and the revolutionists. If this could be done, then our marines could go inland to the railroad, disarm and evacuate the Japanese without risk of becoming involved in fighting between the Chinese factions. To attempt to do it without a truce would merely mean that the revolutionary forces, being nearer the railroad and the Japanese forces than the nationalist forces, would move in and occupy these areas before the nationalist troops could get there, thus cutting Chiang Kai-shek's communications with Manchuria and setting the stage for a large-scale civil war. He said that if the truce were possible, General Marshall would then attempt to use his influence and the influence of the United States on Chiang Kai-shek to bring about a basic agreement concerning communist

⁴⁵ Reference here appears to be to Molotov's remarks during the First Formal Session of the Conference, December 16, p. 610.

representation in the Government, which would permit of a unified government for China. If no truce could be arranged, the other alternative would be to fly in nationalist troops over the heads of the revolutionists and let them disarm the Japanese and occupy the railroad.

MR. MOLOTOV said he found it very abnormal that four months after the surrender there were still fully armed Japanese troops.

THE SECRETARY pointed out that under the various agreements Chiang Kai-shek was to take the surrender but that his forces in the area were physically too weak to do so and also were, according to the Central Government, being prevented by the revolutionary forces. He said that according to our information the Japanese were quite prepared to surrender but would surrender only to Chiang Kai-shek's forces or to United States forces.

MR. MOLOTOV said that he did not see how it could be tolerated that Japanese forces were still in being and asked Mr. Bevin's opinion on that.

MR. BEVIN replied that he had not studied all the details of the North China situation but that in general he felt that while local disturbances interfered with the prompt execution of the Japanese surrender, our three powers should use their influence to overcome these disturbances in order to permit the carrying out of the main objectives connected with the Japanese surrender.

THE SECRETARY pointed out that when we had all agreed to support the Government of Chiang Kai-shek, it was difficult to do something that would impair his position in China and make certain a large-scale civil war. He mentioned in this connection that Generalissimo Stalin had stated that Chiang Kai-shek was the only Chinese leader in sight and that there were no other elements that could hope to bring about the unity of China.

MR. MOLOTOV replied that it was without question that we had all agreed to support Chiang Kai-shek and that the Soviet Union had embodied this in writing in its agreements with China. He said, however, that he felt Chiang Kai-shek's Government exaggerated the strength of the communist forces in Manchuria and in North China and that they really did not wish to do any fighting themselves but preferred to have others do it for them. He said that that was a well-known Chinese practice. He concluded by saying that they should discuss the situation in North China again as he wished to study it in more detail. The Secretary's statement, however, had made the main point clear.

THE SECRETARY inquired whether Mr. Molotov had anything to add to his information concerning Manchuria.

MR. MOLOTOV replied he thoroughly agreed with Mr. Byrnes that

we should exchange information and verify that our positions were in harmony. He repeated that except for the Chinese request the Soviet forces would have already left Manchuria in accordance with the published treaty with China. He repeated that it was the Soviet policy to support Chiang Kai-shek and that they were adhering to that policy. They were leaving their troops in Manchuria at China's request so that Chiang Kai-shek's forces would have time to get into Mukden and Changchun. He repeated his statement that he felt that the number of non-government or communist forces had been exaggerated in order to have others do the work for them. He said he felt this was also true in regard to North China.

THE SECRETARY replied that according to our information the communist forces in North China were considerably larger, as he had stated, than the government forces.

MR. MOLOTOV said that they could discuss this question again but he felt some way must be found to disarm and remove the Japanese as soon as possible. He felt that eight years of war should have been long enough for Chiang Kai-shek to learn how to handle Japanese, particularly after the latter had capitulated.

THE SECRETARY again stated that General Marshall would attempt to persuade Chiang Kai-shek to make a proper agreement with the communists as the best method of avoiding large-scale civil war and bringing about a unified China.

MR. MOLOTOV stated that the United States was in the best position to know the intentions and plans of Chiang Kai-shek's Government. The only question was whether Chiang Kai-shek really desired to settle his internal problems.

THE SECRETARY replied that he thought he did, but on his own terms.

In reply to a question from Mr. Molotov the Secretary stated that General Marshall was even more of a statesman than he had been a military man and that we could have found no better person for this difficult task; that he was there as a special representative of the President and not an Ambassador.

The Secretary then said they might discuss the question of the removal of troops from Austria. He had been informed that our three representatives on the spot had finally accepted a proposed Austrian Government and had recommended that it be recognized.

MR. MOLOTOV said that that was true, but the first list proposed by Figl had not been satisfactory since it contained three ministers who were formerly close associates of Hitler.⁴⁶

⁴⁶ The new Austrian Government headed by Chancellor Leopold Figl received official confirmation from the Allied Commission for Austria on December 18, 1945; see telegram 380, December 20, to Vienna, and telegram 609, December 21, from Vienna, vol. III, pp. 688 and 689, respectively; for additional documentation regarding the recognition of Austria and the participation by the United States in the Allied Commission for Austria, see *ibid.*, pp. 559 ff.

MR. VYSHINSKI confirmed this, saying that on December 14 the list presented had contained the names of three men who were fascists, but that on the 18th a new list had been presented which had been accepted by the Allied Control Council.

THE SECRETARY said this coincided with his information and stated he felt that we should accept these recommendations, recognize the Government, and give consideration to the withdrawal or at least reduction of our forces.

MR. MOLOTOV replied that he did not believe that complete withdrawal was feasible or desirable at this time because of the danger that the Austrian Government would attempt again to insinuate fascists into the government.

MR. BEVIN said that their Chiefs of Staff had proposed to scale down the forces but not to complete the withdrawal of them at this time.

THE SECRETARY replied that military authorities always liked to keep troops where they were and that in so far as the United States went we would be prepared to withdraw our troops completely in order to get our men home and to reduce the burden on the occupied country. He said it was a known fact that occupation forces were always unpopular with the local inhabitants, and besides that the problem of discipline was complicated in times of peace in regard to troops stationed abroad.

MR. MOLOTOV said there was a good deal of truth in that; that it was more difficult to keep a high standard of discipline among troops in times of peace. He said it would be necessary to study this question but he could say now that the Soviet Government was not in favor of a full withdrawal from Austria. He would have to consult his military authorities in regard to the question of reduction.

MR. BEVIN inquired whether Mr. Molotov would have information from the Soviet military authorities before the meeting broke up.

MR. MOLOTOV said it was possible but he could not guarantee it.

THE SECRETARY said that he hoped it would be possible to make some announcement concerning at least the reduction of our forces in Austria before they left Moscow as he felt that such a statement would have a very good effect throughout the world.

MR. MOLOTOV observed that apparently the Soviet Government considered the danger of fascist insinuation in the Austrian Government more important than Mr. Byrnes.

THE SECRETARY replied that it would be many years before all the remnants of fascism would be cleared out of these countries and

that there might be other ways of doing it than through armies of occupation. He said that personally he would like to see the reduction of all occupation forces in all countries. He realized, however, that the situation differed in each occupied country and would thus have to be treated separately.

MR. BEVIN said that one of the difficulties was the necessity of building up an adequate police force in Austria, which would take some time. He thought that the withdrawal might take place simultaneously with the gradual growth of adequate police forces.

MR. MOLOTOV said he had studied the list of countries proposed for the peace conference and he must state that since India was not an independent state and did not have any Foreign Office, the Soviet Delegation was against its inclusion. He said it was necessary to reduce the list but especially to omit India.

MR. BEVIN said that Indian troops had fought in many places in this war and besides was a member of the United Nations.

MR. MOLOTOV said that India was a member of the United Nations because it was expected that at some time in the future that country would obtain a more independent status. He said that the Soviet Government could not agree to include India unless the three Baltic Republics were added to the list. He pointed out that these states had been members of the League and that the representatives of the old regimes were still recognized in England and America.

MR. BEVIN said that he could not answer about India now but he would like to see a full list of those proposed by the Soviet Delegation.

MR. MOLOTOV said it was very simple to omit India and in any case add the three Baltic Republics.

THE SECRETARY asked if Mr. Molotov accepted the others.

MR. MOLOTOV replied that some others were doubtful but the main point was India and he felt the three Baltic Republics should have the right to express their views.

THE SECRETARY inquired whether Mr. Molotov would agree to the rest of the list without the Baltic Republics if India were dropped.

MR. MOLOTOV said he could propose it to the Soviet Government.

THE SECRETARY then said that if Mr. Molotov would accept our list without India he would urge upon Mr. Bevin that India be dropped.

During the luncheon which followed the meeting, Mr. Bevin told Mr. Molotov and the Secretary that he was prepared to accept the inclusion of the three Baltic Republics if India was retained. Mr. Molotov agreed and said it was up to the Secretary. The Secretary said he would have to give the question further study before answering.

740.00119 Council/12-1945

United States Delegation Minutes, Fourth Formal Session, Conference of Foreign Ministers, Spiridonovka, Moscow, December 19, 1945, 5:00-6:35 p. m.

Present: ⁴⁷ Mr. Molotov, Commissar for Foreign Affairs
Mr. Vyshinski, Vice Commissar for Foreign Affairs
Mr. Gusev, Soviet Ambassador to London
Mr. Malik, Soviet Ambassador to Tokyo
Mr. Tsarapkin, Chief, American Section, NKID
Mr. Pavlov, Interpreter
Mr. Byrnes, Secretary of State
Mr. Harriman, American Ambassador to Moscow
Mr. Cohen, Counselor of the Department of State
Dr. Conant, President, Harvard University
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir A. Clark Kerr, British Ambassador to Moscow
Sir R. Campbell, Ambassador
Mr. Sterndale Bennett, Counselor, Far Eastern Department
Mr. McAfee, Interpreter

Subjects: Terms of Reference of the Allied Council for Japan and the Far Eastern Commission

MR. MOLOTOV opened the meeting at 5:10 p. m. It was decided to begin with consideration of Item 2 (Terms of Reference of Allied Council and Far Eastern Commission).

The British Delegation circulated its comments on the American draft. (Enclosure No. 1.)⁴⁸

After a recess requested by Mr. Molotov in order to translate the British paper, Mr. Molotov opened the consideration of the Terms of Reference for the Far Eastern Commission paragraph by paragraph.

Mr. Molotov observed that paragraph 1 of the Soviet draft differed from paragraph 1 of the United States draft only in that India was

⁴⁷ The British delegation minutes of this meeting (not printed) also list Edward Page as present with the United States delegation and Pierson J. Dixon as present with the United Kingdom delegation.

⁴⁸ Enclosure 1 contains comments relative to the Far Eastern Commission, and enclosure 1a, relative to the Allied Council for Japan.

not included in the former.⁴⁹ In the opinion of the Soviet Delegation, India should not participate in the Far Eastern Commission since it was not a sovereign state. It should not participate on the same footing with sovereign states. India did not have its own Ministry of Foreign Affairs and the Soviet Union did not maintain relations with India.

MR. BEVIN replied that India is now a member of the Far Eastern Commission. He could not agree to exclude India from it. If excluded, India would not even have the position accorded to the Philippines.

MR. MOLOTOV said that the Philippines were to receive their independence. Continuing, Mr. Molotov stated that the United States letter of August 22⁵⁰ had contained the statement that the Far Eastern Commission would cease to function as soon as one of the four powers, the United States, Great Britain, the Soviet Union and China, gave notice of its intention to terminate the agreement. However, in point of fact the Far Eastern Commission had not ceased to function but had begun and had been organized without the agreement of all the four states. Accordingly, the existence of the Far Eastern Commission at the present time was inconsistent with the United States letter of August 22.

MR. BYRNES replied that he could not agree to this. At the time the letter was written the Far Eastern Commission had not existed. The letter was an invitation to organize the Commission. The simple facts were that when the Soviet Government had not seen fit to come into the Commission, others had organized it. Since its organization no member had given notice of termination.

However, in any event the United States and, Mr. Byrnes assumed, Great Britain as well, desired to have the Allies join the Commission and continue along in it. Mr. Byrnes hoped that the delegates could agree to the Terms of Reference. He suggested that they proceed to paragraph 2 since they could not agree regarding paragraph 1.

MR. MOLOTOV stated that he wished to observe that India had not been proposed as a member of the Far Eastern Commission in the

⁴⁹ The United States delegation memorandum on the proposed revision of the terms of reference of the Far Eastern Commission is included as enclosure 3b to the United States delegation minutes of the First Formal Session of the Conference, December 16, p. 624; the proposal of the Soviet delegation regarding the Far Eastern Commission is included as enclosure 2b to the United States delegation minutes of the Third Formal Session of the Conference, December 18, p. 662.

⁵⁰ Reference is to a note to the Soviet Government delivered pursuant to instructions contained in telegram 7106, August 21, to London, repeated to Moscow as telegram 1881, printed in vol. VI, section entitled "Surrender of Japan . . .", Part I.

original British proposal of August 30.⁵¹ The Philippines had been included.

MR. BEVIN stated that as far as he could remember the British Government had proposed a five-power Control Council with an Advisory Commission in which India would be a member.

MR. MOLOTOV stated that the proposal had not included India in either body.

MR. BEVIN replied that that had not been accepted. The Far Eastern Commission had been organized. India had been included. India was now a member and Mr. Bevin could not be a party to its exclusion. However, he was prepared to limit India's participation in the Far Eastern Commission.

MR. MOLOTOV suggested that as no agreement had been reached on this issue it might be wise to turn to the question with regard to Paragraph II, Section A, Subparagraph 1, as raised by the British paper.

MR. BEVIN desired clarification concerning questions which might arise among the participating powers themselves: for example, reparations questions.

MR. BYRNES referred to Paragraph II, Section A, Subparagraph 3 of the American proposal. He wished to propose an addition following the words "participating governments" there. The addition would read "in accordance with the voting procedure as in Paragraph V, Subparagraph 2". In this fashion it would be clear that other matters could be assigned to the Far Eastern Commission by the participating powers in accordance with the regular voting procedure.

MR. BEVIN stated that Subparagraph 1 was specific. Subparagraph 3 covered all the other general matters which he had had in view. He had no objections to this addition.

MR. MOLOTOV stated that he had no objection to the addition but wished to study it further.

MR. BYRNES pointed out that in accordance with Paragraph IV of the United States proposal, the establishment of the Commission would not preclude the use of other methods of consultation on Far Eastern issues by the participating governments.

MR. MOLOTOV referred to the proposed Soviet amendment to Paragraph II, Section A, Subparagraph 3 of the American proposal.

MR. BYRNES stated that the Soviet amendment was agreeable to him and that he accepted it. He accepted the entire section proposed by the Soviet Government in place of his own, except that the name of the body should remain "Allied Council" and not "Allied Control Council" as in the Soviet amendment. This matter of nomenclature could be

⁵¹ Original British proposal relative to the Far Eastern Commission was contained in *aide-mémoire* from the British Embassy to the Department of State, August 30, printed in vol. VI, section entitled "Surrender of Japan . . .", Part I.

discussed when the question of the Terms of Reference for the Council was reached.

MR. BEVIN agreed.

MR. MOLOTOV referred to the Soviet amendment to Subparagraph 3 of the United States proposal.

MR. BYRNES stated that the Soviet amendment was accepted in substance. The American Delegation, however, had changed the language combining it with one of the paragraphs in the paper originally adopted.

MR. BYRNES distributed the revised United States version (enclosure No. 2).

MR. MOLOTOV inquired whether this revised paragraph combined Subparagraphs 3 and 4 of the previous United States draft.

MR. BYRNES replied that it did but added that it embodied the language suggested by Mr. Molotov.

MR. MOLOTOV inquired whether the second part of the United States revised version also applied to interim directives. Did it mean that no interim directives would be issued dealing with constitutional changes in the Japanese Government?

MR. BYRNES replied that it did.

MR. MOLOTOV said that it would be necessary to study the paper more closely.

MR. BEVIN had no remarks.

MR. MOLOTOV proceeded to Paragraph IV. He stated that the Soviet amendment on this question need not be discussed.

MR. BYRNES distributed a United States paper concerning the Allied Council (enclosure No. 3). He said that some changes had been embodied in it after study of the Soviet suggestions.

MR. MOLOTOV requested an opportunity to study the United States paper and the meeting was adjourned at 6:35 p. m.

[Enclosure 1]

Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 19, 1945.

FAR EASTERN COMMISSION

COMMENTS BY THE UNITED KINGDOM DELEGATION ON THE UNITED STATES
DRAFT OF DECEMBER 16TH⁵²

Article II A 1 speaks of the formulation of policies, principles, etc. for the fulfilment *by Japan* of her obligations. How is it in-

⁵² The United States delegation memorandum on the proposed revision of the terms of reference of the Far Eastern Commission is included as enclosure 3b to the United States delegation minutes of the First Formal Session of the Conference, December 16, p. 624.

tended to deal with any questions which may arise as between the participating Powers themselves in the execution of the surrender terms (e.g. reparations) ?

In Article II A 3, does "agreement" mean "unanimous agreement", or is it the intention that agreement shall be reached in this case between the participating Governments by the same voting procedure as is suggested for the Commission in Article V 2?

The United Kingdom Delegation reserve the right to propose amendments to cover these points in the light of the answers to the above questions. They also reserve the right to propose an alternative voting procedure to that suggested in Article V 2 should this seem desirable in the light of the discussion of the Soviet amendments of December 18th,⁵³ which are still being studied by the United Kingdom Delegation.

Otherwise the United Kingdom Delegation do not desire to propose any amendments to the United States draft.

[Enclosure 1a]

Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 19, 1945.

ALLIED COUNCIL IN TOKYO

COMMENTS BY THE UNITED KINGDOM DELEGATION ON THE UNITED STATES DRAFT OF DECEMBER 16TH ⁵⁴

The proposal in Article 2 for "a British Commonwealth of Nations member" raises a very serious constitutional difficulty and the United Kingdom Delegation must reserve the right to propose an alternative which will give effective representation to Australia, New Zealand and India, whose forces have played a great part in the war against Japan and will participate in the occupation.

Apart from this, the United Kingdom Delegation do not desire to propose any amendments to the United States draft, but they consider that the wording of Article 5 should be reviewed since the present wording suggests that there might be matters other than those specified in the Article on which the Supreme Commander would be free to take action not in accordance with decisions taken by the Far Eastern Commission.

⁵³ The proposal of the Soviet delegation regarding the Far Eastern Commission is included as enclosure 2b to the United States delegation minutes of the Third Formal Session of the Conference, December 19, p. 662.

⁵⁴ See enclosure 3c to the United States delegation minutes of the First Formal Session of the Conference, December 16, p. 626.

[Enclosure 2]

*Memorandum by the United States Delegation at the Moscow Conference of Foreign Ministers*⁵⁵

Moscow, December 19, 1945.

FAR EASTERN COMMISSION

I. *Establishment.*

The Governments of the Union of Soviet Socialist Republics, China, United Kingdom, United States, France, the Netherlands, Canada, Australia, New Zealand, India, and the Philippine Commonwealth hereby establish a Far Eastern Commission composed of representatives of the participating powers.

II. *Functions.*

A. The functions of the Far Eastern Commission shall be:

1. To formulate the policies, principles, and standards in conformity with which the fulfillment by Japan of its obligations under the instrument of surrender may be accomplished.

2. To review, on the request of any member, any directive issued to the Supreme Commander or any action taken by the Supreme Commander involving policy decisions within the jurisdiction of the Commission.

3. To consider such other matters as may be assigned to it by agreement among the participating Governments, in accordance with the voting procedure in V-2 hereunder.

B. The Commission shall not make recommendations with regard to the conduct of military operations nor with regard to territorial adjustments.

C. The Commission in its activities will proceed from the fact that there has been formed an Allied Council and will respect existing control machinery in Japan, including the chain of command from the United States Government to the Supreme Commander and the Supreme Commander's command of occupation forces.

III. *Functions of the United States Government.*

1. The United States Government shall prepare directives in accordance with policy decisions of the Commission and shall transmit them to the Supreme Commander through the appropriate United States Government agency. The Supreme Commander shall be charged with the implementation of the directives which express the policy decisions of the Commission.

2. If the Commission decides that any directive or action reviewed in accordance with Article II, A, 2, should be modified, its decision shall be regarded as a policy decision.

⁵⁵ Revised text of the memorandum of December 16, p. 624.

3. The United States Government may issue interim directives to the Supreme Commander pending action by the Commission whenever urgent matters arise not covered by policies already formulated by the Commission; provided that any directives dealing with fundamental changes in the Japanese constitutional structure or in the regime of control, or dealing with a change in the Japanese Government as a whole will be issued only following consultation and following the attainment of agreement in the Far Eastern Commission.

4. All directives issued shall be filed with the Commission.

IV. Other Methods of Consultation.

The establishment of the Commission shall not preclude the use of other methods of consultation on Far Eastern issues by the participating Governments.

V. Composition.

1. The Far Eastern Commission shall consist of one representative of each of the states party to this agreement. The membership of the Commission may be increased by agreement between the participating powers as conditions warrant by the addition of representatives of other United Nations in the Far East or having territories therein. The Commission shall provide for full and adequate consultations, as occasion may require, with representatives of the United Nations not members of the Commission in regard to matters before the Commission which are of particular concern to such nations.

2. The Commission may take action by less than unanimous vote provided that action shall have the concurrence of at least a majority of all the representatives including the representatives of the four following powers: United States, United Kingdom, Union of Soviet Socialist Republics and China.

VI. Location and Organization.

The Far Eastern Commission shall have its headquarters in Washington. It may meet at other places as occasion requires, including Tokyo, if and when it deems it desirable to do so.

It may make such arrangements through the Chairman as may be practicable for consultation with the Supreme Commander for the Allied Powers.

Each representative on the Commission may be accompanied by an appropriate staff comprising both civilian and military representation.

The Commission shall organize its secretariat, appoint such committees as may be deemed advisable, and otherwise perfect its organization and procedure.

VII. Termination.

The Far Eastern Commission shall cease to function when a decision to that effect is taken by the concurrence of at least a majority of all

the representatives including the representatives of the four following powers: United States, United Kingdom, Union of Soviet Socialist Republics and China. Prior to the termination of its functions the Commission shall transfer to any interim or permanent security organization to which the participating governments are members those functions which may appropriately be transferred.

[Enclosure 3]

*Memorandum by the United States Delegation at the Moscow Conference of Foreign Ministers*⁵⁶

Moscow, December 19, 1945.

ALLIED COUNCIL FOR JAPAN

1. There shall be established an Allied Council with its seat in Tokyo under the Chairmanship of the Supreme Commander for the Allied Powers (or his Deputy) for the purpose of consulting with and advising the Supreme Commander in regard to the implementation of the terms of surrender, occupation, and control of Japan and of directives supplementary thereto, and for the purpose of exercising the control authority herein granted.

2. The membership of the Allied Council shall consist of the Supreme Commander (or his Deputy) who shall be Chairman and the United States member; Union of Soviet Socialist Republics member; Chinese member; and a British Commonwealth of Nations member. Each member shall be entitled to have an appropriate staff consisting of military and civilian advisors.

3. The Allied Council shall meet not less often than once every two weeks.

4. The Supreme Commander shall issue all orders for the implementation of the Terms of Surrender, occupation, and control of Japan, and directives supplementary thereto. In all cases action will be carried out under and through the Supreme Commander who is the sole executive authority for the Allied Powers within the area of his command. He will consult and advise with the Council in advance of the issuance of orders on matters of substance, the exigencies of the situation permitting. His decisions upon these matters shall be controlling.

If, regarding the implementation of policy decisions of the Far Eastern Commission on questions concerning a change in the regime of control, changes in the constitutional structure, and changes in the Japanese Government as a whole, a member of the Council disagrees with the Supreme Commander (or his Deputy) the Supreme

⁵⁶ Revision of the United States delegation memorandum of December 16, p. 626.

Commander will withhold the issuance of orders on these questions pending agreement thereon in the Far Eastern Commission.

In cases of necessity the Supreme Commander may take decisions concerning the change of individual ministers of the Japanese Government, or concerning the filling of vacancies created by the resignation of cabinet members, after appropriate preliminary consultation with representatives of the other Allied Powers on the Allied Council.

740.00119 Council/12-2645

Memorandum of Conversation, by the United States Delegation at the Moscow Conference of Foreign Ministers ⁵⁷

[Moscow,] December 19, 1945.

Present: Generalissimo Stalin	The Secretary
Mr. Molotov	Ambassador Harriman
Mr. Pavlov	Mr. Bohlen

Subject: Preparation of Peace Treaties
Withdrawal of Troops from Iran

After an exchange of amenities principally concerning Stalin's health, The Secretary handed him a letter from the President.⁵⁸

MR. PAVLOV began to translate the letter, but Stalin interrupted to ask the Secretary whether it was necessary to read the letter now while Mr. Byrnes was here.

THE SECRETARY replied that it was not necessary since he was aware of the contents of the letter and could say that the President had expressed his desire that the Generalissimo see the Secretary and talk over with him the various outstanding questions between the two countries. He added that he did not wish to go into the details now of these problems but merely to say that it was the earnest hope of the President which he shared that some method could be found to settle these questions. He said that most of our difficulties related to procedure and not to substance but that a failure to agree on procedure gave an opportunity to certain people to say that it was more difficult for the United States and the Soviet Union to cooperate in peace than it had been in war. He was expressing President Truman's views when he said that there was no conflict between our two countries and that our only desire was to live in peace and increase the comfort of the American people and help through economic means our friends abroad to restore the damages of war.

STALIN replied that he fully shared that desire.

⁵⁷ Meeting held at the Kremlin, December 19, 1945, 8:30 p. m.

⁵⁸ For text of the President's letter, see enclosure to this memorandum, p. 687.

THE SECRETARY recalled that the first time he had met the Generalissimo at Yalta the latter had said that he spoke not as a diplomat but from the heart and he wished to assure him that he too was prepared to speak frankly on any subject that the Generalissimo had in mind and to tell him anything he wished to know concerning the United States' attitude.

STALIN replied that he had no doubts as to the sincerity on both sides, but that he felt sometimes we had different understandings of the same questions.

THE SECRETARY agreed and said that this was due to different positions, customs, and points of view. He was confident that all these matters could be ironed out.

STALIN replied he shared this conviction and that up to now our two countries had succeeded quite well.

THE SECRETARY said one of the difficulties of the United States was that our press was completely uncontrolled and often printed stories which were reprinted in the Soviet press and thus led to mutual suspicion. He said he felt it was our duty to defend the actions of our ally, the Soviet Union, against any misrepresentation or untruth, and he felt that the Soviet Government would do the same.

STALIN agreed.

1. PREPARATION OF PEACE TREATIES

THE SECRETARY then said he noticed that the Generalissimo had before him a list of countries to be invited to the peace conference which they had been discussing at the meeting of the Foreign Ministers. He said that morning Mr. Molotov had agreed to accept the list if India was omitted, but when Mr. Bevin had objected to this Mr. Molotov then proposed the addition of the three Baltic Republics.

MR. MOLOTOV said that he and Mr. Bevin had agreed to the inclusion of the three Baltic Republics but Mr. Byrnes had objected.

THE SECRETARY said that regardless of who was right or wrong at the London Conference the fact was that there had been an honest misunderstanding between the three heads of Government as to the interpretation of the Berlin agreement. The President and he understood Prime Minister Attlee felt that under this agreement France and China would be permitted to sit with the Council to discuss but not vote on the peace treaties in question, whereas the Generalissimo insisted that only those countries signatory to the armistice should do so. He said, however, in their desire to reach an agreement the United States and Great Britain had agreed to accept the Generalissimo's interpretation.

STALIN replied he felt that that was the decision reached at Berlin.

THE SECRETARY repeated that he felt it had nevertheless been an honest misunderstanding but that we had accepted the Soviet interpretation. Not only that, but for the sake of agreement we had also accepted the Soviet position regarding final approval of these peace treaties. He said we had not liked it since we felt that all countries who had participated in the war should have a voice in the making of the treaties, but nevertheless we had accepted the Soviet proposal for final consideration. What we were asking, however, was that at the conference as wide a list of states as possible who had actively participated in the war should be given an opportunity to express their views. They would not have a vote or any final say in the treaties but merely be present and make their views known. He pointed out that as the matter now stood, if the proposal to include India and add the three Baltic Republics were accepted at the conference, there would be Great Britain with five Dominions including India and the Soviet Union with five of its republics whereas the United States would be alone. He said it would be difficult to explain this decision in the United States. He said he thought that one way out would be to omit India and White Russia and the Ukraine. Thus only states enjoying full sovereignty would be invited. He understood that on that basis Mr. Bevin would suggest to his Government the omission of India.

MR. MOLOTOV pointed out that that would still leave England with four Dominions.

THE SECRETARY replied that he felt that both the United States and the Soviet Union were strong enough to stand alone and that Mr. Molotov could adequately protect the interests of these Soviet Republics at the conference. He said he felt we had made concessions in this matter of the peace treaties and that it was not very much to ask that our list for the conference be approved.

STALIN replied that the list was identical with the one which Ambassador Harriman had shown him at Sochi and that he saw no concessions on the part of the United States.⁵⁹

AMBASSADOR HARRIMAN said that Luxembourg had been dropped.

THE SECRETARY said that our concessions related to the preparation and final approval of the peace treaties.

STALIN remarked that the armistice in each case had been signed by those who had shed the blood in this war against the country in question and that they should be the one to sign the peace. He went on to say that Belgium and Holland, for example, have not fought against Italy and Rumania; but if it were the question of peace treaties against Germany and Japan it would of course be different. He said

⁵⁹ See the memoranda of conversations by the First Secretary of Embassy in the Soviet Union, October 24 and October 25, pp. 567 and 575, respectively.

he felt that the United States should make a concession in regard to this list. Who in fact had waged war against Italy? In the first stages it had been the United States, England, and Russia, the latter having destroyed 16 Italian divisions on the Eastern front. France had come in with one or two divisions when Fascist Italy lay prostrate. He said that after the landing in Italy there was no question but that the United States and England had done most of the fighting and, therefore, had a greater right than Russia in regard to the Italian peace treaty. In the case of Hungary, Rumania, and Bulgaria, although the latter had not actively waged war, United States and British participation had been confined to air action which had been highly appreciated. The ground forces against these countries had been only Russian. Russia had fought and destroyed 24 Rumanian divisions, 26 Hungarian, 22 Finnish, and had forced Bulgaria out of the war. The Baltic States had contributed forces in these operations. Since 1942 there had been an Esthonian corps of two divisions, a Latvian corps of two divisions, and from the very beginning an important Lithuanian contingent. If the part played by these Baltic Republics is compared with the role say of Norway, it will be seen that there would be no grounds for inviting Norway, Holland, and Belgium. Nevertheless, as a concession the Soviet Government would be prepared to agree to invitations to these three countries if Mr. Byrnes would agree to the three Baltic Republics which were sovereign and had their own Ministers of Foreign Affairs. In order not to offend England it would be well to accept India as well as Belgium, Holland, and Norway.

Stalin, therefore, proposed that the original American list be accepted plus the three Baltic Republics. He stated that soon the United States would have to recognize these countries and they might find it convenient to have consulates in Tallin, Riga, and Kaunas. He said he recognized that it was embarrassing for England to have six votes and the USSR to have six votes while the United States had only one and that this situation must be met. One way would be to give the United States six votes. He recalled that he had agreed with President Roosevelt to the United States having two additional votes in the United Nations Organization if it was so decided.

THE SECRETARY replied that when Mr. Molotov had first agreed there had been no question of the three Baltic Republics but only to the exclusion of India. Mr. Bevin, however, had objected to that.

MR. MOLOTOV said he had first proposed to shorten the list and take off certain countries especially India.

THE SECRETARY replied that when we spoke of votes it was somewhat misleading since at this conference no one would vote but merely express their views. He said he hoped the Generalissimo understood

our opposition and our difficulties. The people of the United States regarded the war as one war and felt that where an army fought and against what country of the Axis was due to a decision of the military leaders. For example, had we not decided to invade Europe through Normandy, American troops might have been fighting on these other theaters against the satellites.

STALIN said that is true but a distinction must be made between the Pacific and European wars.

THE SECRETARY agreed and said that even on this point that China by agreeing to accept a limited amount of help in the Far East had made it possible for the United States to throw its full weight into the European war first.

STALIN agreed that China had played an important role in the whole war although she had in fact fought badly.

THE SECRETARY said he wanted to make it clear that the United States had no special interest in regard to Belgium, Norway, or any of these countries. It merely felt that since it had been one war the small countries who really participated could be given an opportunity to express their views on these peace treaties. He said, for example, that Norwegian ships had carried the gasoline which made possible our bombing of Rumania and had done their share in bringing supplies to the Soviet Union. He said in the last analysis we would be the judges and that it was possible, therefore, without any harm to our interests to let the little nations speak.

STALIN said that he saw two alternatives, one, to exclude India and leave the list as written which would include White Russia and the Ukraine; and the other, if England objects, to include India and the three Baltic Republics. He said the Soviet Government would withdraw its objection in either case to the inclusion of Belgium, Holland, and Norway, and also China.

THE SECRETARY said that that would present certain difficulties. When he agreed to omit India Mr. Bevin objected. He said he hoped that the Generalissimo would think the matter over and see if some other way could not be found out of the difficulty.

STALIN agreed to think the whole question over.

2. WITHDRAWAL OF TROOPS FROM IRAN⁶⁰

THE SECRETARY said he had not yet had an opportunity to discuss the question of Iran with Mr. Molotov and was, therefore, bringing it up for the first time. He said that the United States was involved in the difficulties in Iran only because of President Roosevelt's signature on the Declaration of Iran, and that because of this the Government

⁶⁰ For the Secretary of State's report to the Acting Secretary of State regarding the discussion at this meeting on the subject of Iran, see telegram 4262, Delsec 23, December 23, from Moscow, printed in vol. VIII.

of Iran had communicated to the United States certain complaints which we had felt bound to forward to the Soviet Government. He said criticism of Soviet acts had been caused in the United States by the refusal of the Soviet authorities to permit 1,500 Iranian troops to go to Northern Iran to deal with the insurgents there. He said he wished to speak frankly which was the best way to discuss these matters and that we feared that at the forthcoming United Nations meeting the Iranian Government would raise this question and charge that the three Governments signatory to the Declaration signed at Tehran were not living up to their obligations to protect the integrity and sovereignty of Iran. The forces of our three countries were in Iran not as occupation forces but were there by agreement with a small friendly country. If the question were raised it would be difficult to explain why 30,000 Soviet troops in Iran would be endangered by 1,500 additional fully armed Iranian troops which he understood was the reason for the Soviet objection. He said he felt that the three great countries should always avoid any grounds for charges that they had failed to live up fully to an obligation to protect a small power.

STALIN said that the following were the pertinent facts in this matter: Baku oil fields in the south of Russia lay close to the border and this location created a special problem. These oil fields had to be safeguarded against any possible hostile action on the part of Iran against the Soviet Union. He was sure that if England or America owned these oil fields they would take every precaution to protect them against any possible action on the part of a hostile Iranian Government. He said the Iranian Government was hostile to the USSR and there was nothing friendly about it. He said he did not know what their attitude towards England and America was. That, those two countries knew, but he knew it was hostile to the Soviet Union. No confidence, therefore, could be reposed in this Government and anything might be done by it. Saboteurs might be sent into the Baku fields to set them on fire which is not difficult to do. It was for this reason that the Soviet Government was unable and did not wish to withdraw their troops until the date set in the treaty. There was another point now, that the Soviet Union had another bilateral treaty with Iran which gives the former the right if conditions are disturbed or there is the possibility of danger to put troops in Northern Iran.⁶¹ This treaty had been signed in 1921 and had grown out of a previous arrangement whereby Iran was divided into spheres of influence, the northern sphere to Russia and the southern sphere to England. The Soviet Union had subsequently renounced its claims to the northern sphere and had withdrawn its troops turning over without pay to

⁶¹ Reference is to the treaty of friendship between Persia and the Russian Soviet Federated Socialist Republic, signed at Moscow, February 26, 1921; for text, see League of Nations Treaty Series, vol. ix, p. 383.

Iran the Tabriz railroad which the Russians had built and a bank. In exchange Russia received the right to send troops into Northern Iran if a dangerous situation existed. It was, therefore, necessary for the Soviet Union to keep its troops in Northern Iran because of the hostility of the Iranian Government. It might be difficult for others to understand this but if they thought it over they would understand.

In regard to the internal difficulties, Soviet troops were not interfering in these local disturbances. The reason they would not allow the Iranian troops to come into the area was that they feared clashes between the Azerbaijan population and the Iranian troops and also incidents against Soviet troops. Even now Soviet troops were suffering and several had been killed by Iranian detachments. Even small numbers of troops were capable of provoking incidents and attacking the Soviet forces. The Iranian troops in Northern Iran are not attempting to put down the disturbances and do not wish to fight against the local population.

It is right to respect small nations and to safeguard their independence but the small nations are not always averse to attempting to promote friction between large powers. Some small nations come to the Soviet Government and charge that England and America are strangling and oppressing them. Others go to England and America with similar charges against the Soviet Union. It is necessary to take a skeptical view of such complaints from small nations who are very apt to stir up trouble. It was, therefore, impossible for the Soviet Union to withdraw those troops before the expiration date of the 1942 treaty and at that time it will be necessary to examine the situation and to see whether or not it is possible to withdraw the troops then. The decision will depend in large part on the conduct of the Iranian Government. The Soviet Union must safeguard the Baku oil fields. It was difficult to understand why all these complaints were made against Russia when England has troops in many places and even in Tehran as has the United States. It was not clear how these troops got there or what they were doing but the Soviet Government makes no complaint.

THE SECRETARY replied that the one wish of every American soldier and the one wish of the American population was to see every soldier abroad get home. He said he was surprised to hear that the Iranian Government was regarded as hostile by the Soviet Government since he recalled that General Connolly⁶² who had been in command of our forces there had told him that the Iranian Government had been cooperative with both Russia and the United States in moving supplies through Iran to Russia. He repeated that he felt it was im-

⁶² Maj. Gen. Donald H. Connolly, Commanding General, Persian Gulf Supply Command, October 1942 until December 1943.

portant that the great powers should always be in a position to show that they were behaving correctly and in accordance with agreement in regard to small nations.

In saying goodbye, STALIN said that the Secretary could rest assured that the Soviet Union had no designs territorial or otherwise against Iran and that once they felt secure about the Baku oil fields they would withdraw their forces and would have no interest whatsoever in any internal problems in Iran, but they felt it necessary to take adequate precautions against hostile action.

THE SECRETARY replied that he had publicly stated that the United States was not interested in the formation of any bloc or group of states which might be directed against the Soviet Union and that no government which had hostile intent against the Soviet Union could come to the United States for any kind of support. He said he had stated this publicly in order that there should be no misunderstanding.

It was agreed that the Generalissimo would receive the Secretary again before the latter's departure.

[Enclosure]

President Truman to the Chairman of the Council of People's Commissars of the Soviet Union (Stalin)

[WASHINGTON, undated.]

DEAR GENERALISSIMO: It is natural that approaching our common problems from different starting points we should at the outset encounter some difficulties. But it is becoming increasingly evident that these difficulties are assuming exaggerated proportions in the minds of our respective peoples and are delaying in many ways the progress, which we both desire to expedite, towards peace and reconstruction.

I repeat my assurance to you that it is my earnest wish, and I am sure it is the wish of the people of the United States, that the people of the Soviet Union and the people of the United States should work together to restore and maintain peace. I am sure that the common interest of our two countries in keeping the peace far out-weighs any possible differences between us.

Secretary Byrnes and I have sought to go as far as we have felt able to meet your views with reference to the Allied Council for Japan and to the Far Eastern Commission, and I sincerely hope that your Government will accept the proposals which we have made. If these proposals are accepted I assure you that in carrying them out it is my intention to insist on the fullest possible collaboration with the Soviet Union in the implementation of the Potsdam Declaration and the Surrender Terms for Japan.

Secretary Byrnes and I have also gone far in an effort to meet your views on the future procedure for handling the peace treaties, and the difference between us now on this matter is not great. In view of our willingness to accept your suggestions as to the handling of the preparatory work by the Deputies, I hope very much that your government can accept our proposals regarding the formal peace conference which will, I am sure, help greatly in securing the general acceptance of the work of our Deputies by other countries.

Prompt agreement between us on the procedure for making the European peace settlements and on the machinery to govern allied relations with Japan will stop the undermining of confidence in the ability of the great powers to work together and will give renewed hope to a world longing for peace.

This hope will also be greatly strengthened if your Government will join in the proposals to have a commission created under the United Nations Organization to inquire into and make recommendations for the control of atomic energy in the interests of world peace.

If we can agree on these general points of procedure without further delay, we should be able to start discussions on other matters as to which it is important in our common interest for us to concert our policies.

I hope very much you will see and talk frankly with Secretary Byrnes. He is thoroughly familiar with my purposes and I feel certain that if you had a full and frank talk with him it would be most helpful.

Sincerely yours,

H. S. TRUMAN

740.00119 Council/12-2645

*Record by the United Kingdom Delegation of a Meeting at the Moscow Conference of Foreign Ministers*⁶³

Moscow, December 19, 1945.

PRESENT

U.K.	U.S.S.R.
Mr. Bevin	Generalissimo Stalin
Sir A. Clark Kerr	M. Molotov
Sir A. Cadogan	M. Pavlov
Mr. McAfee	

GENERALISSIMO STALIN said that he had just been seeing Mr. Byrnes who, on the subject of the peace treaty conference had suggested that

⁶³ Meeting held at the Kremlin, December 19, 10 p. m. Another copy of this record, included in the files of the Moscow Embassy, is accompanied by the following note from Pierson Dixon of the United Kingdom delegation to Charles E. Bohlen: "Mr. Bevin thinks that Mr. Byrnes might like to see the record of his conversation with Generalissimo Stalin last night and asks me to send the attached copy." (Moscow Embassy Files: 500 Foreign Ministers Conference—Moscow)

if India were to be excluded the Ukraine and Belorussia ought also to be excluded, but that Lithuania, Latvia and Estonia should not be included. Generalissimo Stalin said that he could not settle the matter on those terms.

Generalissimo Stalin said that Mr. Byrnes had then put to him questions about Iran. He had spoken about the withdrawal of troops and had asked for the views of the Soviet Government. Generalissimo Stalin had told him that the Soviet Government did not propose an early withdrawal: they desired to safeguard Baku and the oil wells there. There was no guarantee of security in that region on account of the hostile attitude of the Iranian Government.

MR. BEVIN asked whether the Soviet Government were afraid of an attack from Iran.

GENERALISSIMO STALIN replied that he was afraid of acts of sabotage.

MR. BEVIN said that it was important to bring out into the light of day the misgivings which either side might have. He himself was quite ready to tell the Generalissimo what was feared in England. It was thought there that the Soviet Government were following a policy aiming at the incorporation of Azerbaijan, or making it into a satellite state. He did not say that the Government were taking that view, but it was held in the House of Commons and in the country at large. Generalissimo Stalin must realise what a sensitive point Iran was to both Governments. He had observed to M. Molotov the day before that if there was any point of friction between their Governments, it was important at once to try to remove it at an early stage. His Majesty's Government had interests in Iraq and in Mosul and the oil of those regions. If only His Majesty's Government could know what it was exactly that the Soviet Government wanted it might be possible to cooperate.

GENERALISSIMO STALIN said that, frankly and honestly, he had no claims against Iran, that was to say, he had no idea of incorporating any part of Iran into the Soviet Union and no intention of impairing the sovereignty of Iran. But he wished to safeguard the oil of Baku against diversionary activities. There were many extreme nationalists in the Iranian Government who wished to damage the Baku oil industry and who had plans of long standing for the incorporation of Baku in Iran. As to this, he had little fear but there was a real danger of diversionary activities. He had no territorial claim against Iran or any intention of infringing Iranian sovereignty.

MR. BEVIN said that we could assume then that Azerbaijan would remain in Iran, to which GENERALISSIMO STALIN replied that Azerbaijan in fact consisted of two different regions, only one of which was genuinely Persian.

MR. BEVIN said that, at any rate, the Persian part would remain in Iran and Generalissimo Stalin indicated his assent.

MR. BEVIN said that he had taken an interest in the proposal for the establishment of provincial councils throughout Iran. His Majesty's Government had suggested to the Iranian Government that that ought to be done. Could we not set up a tripartite commission to advise and assist them? The Iranians did not seem capable of carrying out reform by themselves. This reform seemed to be necessary and might effect a settlement of Persia. If this suggestion appealed to the Generalissimo, his personal opinion was that, if the latter favoured it, he (Mr. Bevin) might advocate it with the United States Government.

GENERALISSIMO STALIN said that he might support this idea but he must know exactly what was intended.

MR. BEVIN explained that the measure had been provided for in the Iranian constitution but had never been carried out. He thought it was essential to carry it out but he feared that the Iranian Government would be unable to do it without assistance.

GENERALISSIMO STALIN thought that that was probably the case and said that he would study the matter and then discuss it further. He thought it possible that agreement might be reached on this point.

MR. BEVIN said that he wished to put a further question. What was the difficulty in regard to Turkey? He did not want the term to be misunderstood but it seemed that a war of nerves was being conducted. He had the impression that there was a difficulty about the Soviet-Turkish frontier and as His Majesty's Government were allied with Turkey, he was very anxious to understand this question.

GENERALISSIMO STALIN replied that there were two questions.

First, the Straits. Under the Montreux Convention it was left to Turkey to decide whether there was a threat of war and whether to close the Straits and to control them. That was a difficult situation for Russia because Turkey thus had a right to hem her in and the Soviet Government wished to safeguard their liberty.

Secondly, there were certain provinces in Turkey inhabited by Georgians and Armenians which had been seized by Turkey and it was necessary to restore, at least to some extent, the old frontier which existed in the time of the Czars because the Georgians and Armenians were putting forward claims against the Turkish Government. All talk of war against Turkey was rubbish.

In reply to Mr. Bevin's question as to how the matter could be settled, Generalissimo Stalin said it should be settled by negotiation either with Turkey or with the Allies.

In reply to Mr. Bevin's question as to what exactly the Soviet Government wanted, Generalissimo Stalin said that the Soviet Government wished to regain the Georgian and Armenian portions of the

provinces in question: they claimed, in fact, the old frontier which existed before the Treaty of 1921.

MR. BEVIN said that he understood that Russia had not then been in possession of these provinces for a very long period.

GENERALISSIMO STALIN said that it was true that this position dated only from 1870 but the population was Georgian and Armenian and had always been so.

MR. BEVIN then asked the Generalissimo to state what exactly he wanted in the Straits. There had originally been talk of a Soviet base there.

GENERALISSIMO STALIN said that this claim still stood.

MR. BEVIN asked whether that did not put Turkey in a difficulty as the Soviet Government would be able to close the Straits.

GENERALISSIMO STALIN said that the Soviet Government would not have that right. Turkey was unable to defend herself and had shown during the war that she was afraid of everyone.

MR. BEVIN asked whether the Soviet intention was that all ships might pass through the Straits both in peace and in war.

GENERALISSIMO STALIN replied that that was so as regards merchant ships. The important thing today was to limit Turkey's right to close the Straits on her own authority.

MR. BEVIN asked what would be the situation if Turkey were at war, to which GENERALISSIMO STALIN replied that Turkey's interest should be placed first.

MR. BEVIN asked whether she could close the Straits and GENERALISSIMO STALIN replied that she could and that those interested in the defence of the Straits should come to her aid.

MR. BEVIN said that he would be very interested to see definite proposals formulated by the Soviet Government so that he could consider whether there would be an advantage in calling a conference. He was anxious not to destroy Turkey's free and independent position.

M. MOLOTOV raised the point whether the question could be settled at the present Conference and after some discussion it was agreed that that would probably not be possible but MR. BEVIN expressed the hope that the Soviet Government would not necessitate the continuance of Turkish mobilisation.

GENERALISSIMO STALIN said that this mobilisation had been undertaken by Turkey on her own initiative and when MR. BEVIN said that that was because Turkey was frightened of the Soviet Union, Generalissimo Stalin said that she need not be frightened.

[Here follows a discussion regarding the British position in the Dodecanese, the participation by India in the preparation of the peace treaties, and Anglo-Soviet relations in general.]

740.00119 Council/12-2645

United States Delegation Minutes, Fifth Formal Session, Conference of Foreign Ministers, Spiridonovka, Moscow, December 20, 1945, 3:00-4:35 p. m.

Present:⁶⁴ Mr. Molotov, Commissar for Foreign Affairs
Mr. Vyshinski, Vice Commissar for Foreign Affairs
Mr. Gusev, Soviet Ambassador to London
Mr. Malik, Soviet Ambassador to Tokyo
Mr. Tsarapkin, Chief, American Section, NKVD
[NKID]
Mr. Pavlov, Interpreter
Mr. Byrnes, Secretary of State
Mr. Cohen, Counselor of Department of State
Dr. Conant, President, Harvard University
Mr. Harriman, American Ambassador to Moscow
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir R. Campbell, Ambassador
Mr. Sterndale Bennett, Counselor, Far Eastern Department
Mr. McAfee, Interpreter

Subjects: Allied Council for Japan
Far Eastern Commission
Korea
Atomic Energy
Germany

1. ALLIED COUNCIL FOR JAPAN

MR. BEVIN suggested that the discussions commence on the revised American draft on the Allied Council for Japan.⁶⁵

MR. MOLOTOV stated that he wished to reserve the opinion of the Soviet Delegation with respect to the final wording of Article 1. He pointed out that the Soviet Government had suggested that the body be called an Allied Control Commission and not an Allied Council. Inasmuch as the American draft provided for the controlling of Japan

⁶⁴ The British delegation minutes of this meeting also list Edward Page as present with the United States delegation and Pierson J. Dixon as present with the United Kingdom delegation.

⁶⁵ The American revised draft on the Allied Council for Japan is included as enclosure 3 to the United States delegation minutes of the Fourth Session, December 19, p. 672.

it was not clear to him why the body should not be called a Control Commission. This would be more precise.

MR. BYRNES pointed out that the original American proposal provided for an Allied Military Council. The Soviet Government had not agreed to that name and had suggested "Allied Control Commission". The United States could not agree to this and in the hope of reaching agreement, it had suggested that it be called an Allied Council, leaving out the word "military", since it had been opposed by Mr. Molotov and "council" ["*control*"?] since it had been opposed by the United States. He considered that the document spoke for itself, since it specified control over Japan. He continued that it had been necessary to consult various Departments of the United States Government in respect to the title of this body and that a compromise had been reached in calling it an Allied Council. He expressed the hope that Mr. Molotov would agree to this terminology. He said that he was not in a position to make any changes and added that since the American Delegation had agreed to two or three other suggestions made by Mr. Molotov, he hoped that Mr. Molotov would agree to the American position.

MR. MOLOTOV remarked that the American and Soviet positions were now considerably closer together with respect to the Control Council. He suggested that the question of the name of the body be deferred.

MR. BYRNES agreed. However, he wished to point out that control over Japan was divided between the council and the commission. Therefore, there was less reason to put the word "control" in the title.

MR. BEVIN suggested that the Delegates turn to Article 2. He said that he had received instructions to press for United Kingdom and Australian representatives on the council. As Australia had played a very special part in the Pacific war, it felt that it was in a special position and had consequently asked for this representation. He, therefore, requested that his colleagues support this proposal.

MR. BYRNES explained that Australia had been taken into the FEC and that he believed that it would be wiser to restrict the Council to the four governments which had extended the original invitations to join the Far Eastern Commission. He stated that he could not agree to Mr. Bevin's proposal. He felt that if an invitation were extended to Australia, it would be difficult to explain to other governments why they could not be included.

MR. MOLOTOV stated that he would like to remind his colleagues that the question of control of Japan had been the subject of months of discussion in Moscow. The British had been informed of these discussions. Thus far no proposal had been made for the inclusion

of Australia. The question had only now been raised. He must report to his government and obtain instructions.

MR. BEVIN pointed out that the original British proposal called for a five power Control Council, including Australia. This had been dropped in favor of the Far Eastern Commission in Washington. Now the British Government was renewing its proposal. It had awaited the present opportunity in order to renew it. Since the United States Delegation could not agree to this proposal and since the Soviet attitude was not known, Mr. Bevin proposed to reserve further discussion on this until the Soviet reaction was received. Perhaps he might have the Soviet views at the next session.

He then suggested that Article 3 be taken up. No comments were made and the discussion turned to Article 4.

MR. MOLOTOV stated with regard to Article 4 of the United States draft that the Soviet Delegation believed that the phrase "the exigencies of the situation permitting" should be eliminated.

MR. BYRNES replied that it was impossible for him to agree to that and proposed to proceed to the consideration of the next paragraph.

MR. MOLOTOV stated that he presumed that a drafting committee would be established to draw up the final text. He requested that this committee devote special attention to Article 4. He suggested that it would contribute to clarification if the word "individual" were to be inserted before the words "cabinet members" toward the end of this paragraph. Just as it had been specified that the Commander-in-Chief was entitled to change individual ministers, so it should be stated that he was entitled to fill vacancies created by the resignations of individual members of the cabinet.

MR. BYRNES suggested that Mr. Molotov's proposal be transmitted to the drafting committee.

MR. BEVIN stated that paragraphs 3 and 4 could now be submitted to a drafting committee, but that final agreement had not been reached regarding paragraphs 1 and 2.

MR. BYRNES remarked that the drafting committee would not be able to proceed very far until settlement had been reached on paragraphs 1 and 2.

A drafting committee composed of Messrs. Cohen, Bennett and Vyshinski was appointed.

2. FAR EASTERN COMMISSION

MR. BEVIN suggested that the meeting discuss the FEC. He said that the only unsettled questions appeared to be that of India and voting procedure. He asked his colleagues to agree to the inclusion of India.

MR. BYRNES stated that he had agreed to this on behalf of the United States Government. That had been two or three months ago, since which time India had been represented in the meetings of the Far Eastern Commission. Mr. Byrnes had no objections at this time to India's serving on the commission.

MR. MOLOTOV said that he had already expressed the Soviet view on this proposal and asked that further discussion be deferred until tomorrow.

MR. BEVIN took up the question of voting procedure, under paragraph V 2. The original British proposal was that only two of the representatives of the four powers (United States, United Kingdom, Union of Soviet Socialist Republics and China) should concur with the majority. The latest draft provided for concurrence of all four.

MR. BYRNES stated that the United States had originally proposed the concurrence of three and that the Soviet Government had suggested four.

MR. MOLOTOV stated that he believed it only just and right, in order to insure the friendly collaboration of all four powers in Far Eastern issues, to provide for four power concurrence. This would be in the interest of world peace.

MR. BEVIN faced a difficulty in agreeing to this.

MR. BYRNES stated that he would accept any one of the three arrangements: two power concurrence as Mr. Bevin had proposed, three power concurrence as he himself had proposed, or four power concurrence as Mr. Molotov had proposed.

MR. MOLOTOV at this point reiterated his preference for an arrangement which would facilitate the friendly cooperation of the four powers in the Far East.

MR. BEVIN stated that the Australians felt that the work of the Commission might be held up in the event that all four could not agree. Mr. Bevin would like to decide this question tomorrow at the same time Mr. Molotov gave his reply on India.

MR. MOLOTOV stated that this particular question did not involve India.

MR. BEVIN said that he would give his answer tomorrow on both points. Meanwhile, he suggested that the remainder of the text be transmitted to the drafting committee.

MR. MOLOTOV emphasized that the Soviet Government attached great importance to the question of four power concurrence.

MR. BEVIN admitted that this question was very important and stated that he would look into it tonight.

MR. BYRNES suggested that the drafting committee proceed with its work on the last paragraphs of the council proposal.

MR. BEVIN inquired whether, in view of the fact that other govern-

ments were involved, the three powers meant to arrive at a decision or merely a recommendation.

MR. BYRNES replied that the United States had presented its proposals to the three powers only. The other representatives on the commission had been advised of the Moscow discussions, although they had not been informed of the final changes in the terms of reference. The Chinese Government had been informed of these.

MR. BEVIN stated that he wished it to be clearly stated whether the result would be recorded as a decision or an understanding of which other governments would be advised officially.

MR. BYRNES stated that if agreement were reached the three powers could advise the Chinese Government thereof and ask for its concurrence. The Chinese would also be asked to join the three powers in presenting the plan to the several governments represented on the Far Eastern Commission.

MR. BEVIN stated that he had to be quite clear with reference to Australia. If the recommendations were put in final form without consulting Australia, this might create a difficult situation for him.

MR. BYRNES suggested that a difficulty might arise if consultation were undertaken. If a government on the Far Eastern Commission might object to the terms of reference and ask for further consideration by the three powers, this would not be feasible. Mr. Byrnes urged therefore that the three powers agree to invite the other governments to join and concur in their plan.

MR. MOLOTOV stated that in his view Mr. Byrnes was correct. However, he would have to report to his Government and he hoped to obtain its agreement to Mr. Byrnes' proposal. He hoped that China would associate itself with the plan adopted and that no insurmountable difficulties would arise after the other governments were informed.

MR. BEVIN preferred to defer this question until tomorrow.

MR. BYRNES hoped that this question would be disposed of tomorrow in one way or the other. He did not wish the conference to continue indefinitely and it would be necessary to communicate with the Chinese before the end of the Conference.

MR. MOLOTOV agreed with him.

MR. BEVIN stated that there were three points outstanding: India, voting procedure, and the question of whether the result would be presented as a decision or merely as a recommendation. He hoped that final decision would be reached tomorrow on these questions.

3. KOREA

MR. BEVIN proceeded to the next item on the agenda, namely the establishment of a unified administration for Korea.

MR. MOLOTOV stated that there were several points in the American draft ⁶⁶ which he desired to elucidate. The Soviet Delegation would formulate its views on this question today. He pointed out that the original proposal of the United States Government had raised the question of an independent Korean Government. He wished to ask as to how this question stood at the present time.

MR. BYRNES stated that this question was dealt with in the American paper which had been circulated, without regard to the wording as contained on the original agenda or to what was said in Mr. Harriman's letter.⁶⁷ The United States Government hoped to see an independent government in Korea ultimately and he hoped that this question could be considered as set forth in the American paper.

MR. MOLOTOV said that it was easy to understand that the United States Delegate distinguished between urgent questions and those of long term significance. This was quite correct. There were urgent questions calling for immediate decision. Others required preparatory work before settlement. This was how he understood the United States proposal. Since there were Soviet military forces in the north of Korea and United States military forces in the south, the settlement of the urgent questions should be assigned to them. With respect to the long term questions he could state that the Soviet Government agreed to the establishment of a trusteeship for Korea and that this trusteeship should be undertaken by the United States, the United Kingdom, the Union of Soviet Socialist Republics and China.

MR. BEVIN inquired whether he was correct in assuming that the Soviet Delegation's proposal was based upon the United States proposal. He inquired whether a decision, therefore, should be adopted on the basis of the United States proposal.

MR. MOLOTOV expressed the hope that both the United States draft and the Soviet proposals would be given consideration. He hoped to submit the Soviet proposals tonight.

MR. BYRNES stated that he was anxious to make headway with the effort to solve the immediate situation in Korea. He had been advised since his arrival that 1,060,000 Korean refugees had come into the American zone. These included a half million from the Russian zone of Korea and Manchuria. There were many more to come. The half million from the Russian zone and Manchuria claimed that they had originally been residents in the portion of Korea embraced in the United States zone. This was a very important question to solve.

⁶⁶ United States delegation memorandum on the subject of a unified administration for Korea, included as enclosure 2 to the United States delegation minutes of the Second Formal Session, December 17, p. 641.

⁶⁷ Text of Harriman's letter of November 8 to Molotov, included as enclosure 4 to the United States delegation minutes of the First Formal Session, December 16, p. 627.

It was also necessary to provide for a free exchange of merchandise and people and to restore the Korean economy. He inquired whether Mr. Molotov was in accord with the United States proposal for a trusteeship, having in mind an independent government in five years, at which time the trusteeship might be extended for another five years by agreement. He believed that this was what Stalin had in mind four months ago in Berlin. He said he had not discussed this matter with Mr. Bevin.

MR. BEVIN supposed that the trusteeship council would have something to say on this score.

MR. BYRNES agreed. His only hope was that the present proposals would be agreed to by the three powers.

MR. BEVIN stated that the Soviet paper would be awaited and that the question would be returned to upon the receipt of it.

MR. MOLOTOV circulated a paper on Korea later in the meeting (see enclosure no. 1).

MR. BEVIN proceeded to item 4 on the agenda. (Disarmament and evacuation of Japanese in Manchuria).

At MR. MOLOTOV's suggestion, it was agreed to defer consideration of this question until tomorrow.

MR. BEVIN then proceeded to item 5—Bulgaria and Rumania.

MR. BYRNES circulated two American papers (enclosures no. 2 and 3) and suggested that they be considered at the next meeting.

4. ATOMIC ENERGY

MR. BEVIN then turned to item no. 6 (control of atomic energy).

MR. BYRNES stated that he was very anxious to bring up this question for discussion in order to obtain the views of his colleagues on the United States proposal to establish a United Nations Commission to deal with the problems raised by the discovery of atomic energy. He hoped that the Soviet Delegation would join in sponsoring this proposal when the United Nations Organization meets. He asked that consideration be given to the United States proposal⁶⁸ and explained that he wished to make an addition following the last paragraph on page three. This consisted of an extract from the Declaration of November 15 and should have originally been included but had been omitted by mistake. (enclosure no. 4).

MR. MOLOTOV stated that the Soviet Government was now studying the American proposal and requested that the subject not be considered today.

MR. BYRNES agreed.

⁶⁸ United States Proposals on Atomic Energy, included as enclosure 3 to the United States delegation minutes of the Third Formal Session, December 18, p. 663.

5. GERMANY

MR. MOLOTOV stated that he wished to distribute a memorandum on Germany with a view to exchanging opinions on that question (enclosure no. 5).

MR. BEVIN stated that he did not wish to discuss Germany without the participation of France. He wished to be perfectly clear on this point. He would, however, listen to what his colleagues had to say. He would look at Mr. Molotov's paper; however, he was in a difficult position with regard to considering any questions concerning Germany.

MR. MOLOTOV suggested that these questions could be discussed in an informal way, not necessarily at the regular meetings.

MR. BEVIN stated he would be very happy to hear Mr. Molotov's views regarding Germany, but this would have to be on a preliminary basis.

MR. MOLOTOV asked that the Soviet paper be studied and that agreement then be reached regarding the procedure of considering this question.

MR. BEVIN reiterated that he was placed in a difficult position. If the Soviet Government wished to say something in an informal way he would study the document as a document between the two governments, but he did not wish to formalize the discussion at the present time.

MR. BYRNES stated that he would be glad to read the document and join in informal conversations on it and he proposed that this be done tomorrow.

It was agreed to meet at 12:00 noon tomorrow for this purpose.

The meeting was adjourned by Mr. Bevin at 4:35 p. m.

[Enclosure 1]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 20, 1945.

REGARDING KOREA

1. In the aim of restoring Korea as an independent state, the creating of conditions for the country's development on democratic foundations and the speediest possible liquidating of the consequences of prolonged Japanese domination in Korea, there shall be created a provisional, democratic Korean government which will undertake all necessary measures for the development of industry, transportation, and agriculture of Korea, and the national culture of the Korean people.

2. To create a Joint Commission of representatives of the command of American troops in southern Korea and the command of Soviet troops in northern Korea for the rendering of assistance in the formation of a provisional Korean government and for preliminary elaboration of appropriate measures. In the working out of its proposals, the Commission shall consult with Korean democratic parties and social organizations. The recommendations worked out by the Commission shall be presented for the consideration of the respective governments.

3. The Joint Commission, with the participation of the provisional Korean democratic government and Korean democratic organizations, is commissioned also to work out measures of help and assistance (trusteeship) in the political, economic and social progress of the Korean people, the development of democratic self-administration, and the establishment of the state independence of Korea.

The proposals of the Joint Commission shall be submitted for the joint consideration of the U.S.A., U.S.S.R., Great Britain and China for the working out, following consultation with the provisional Korean democratic government, of an agreement concerning a four-power trusteeship of Korea for a period of up to five years.

4. To convene in a two-week period a joint meeting of representatives of the American and Soviet commands in Korea to consider urgent questions which have relation both to southern and northern Korea and to work out measures for the establishment of permanent coordination between the American command in southern Korea and the Soviet command in northern Korea in the administrative-economic sphere.

[Enclosure 2]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 18, 1945.

SUGGESTED PROCEDURE WITH REGARD TO BULGARIA

1. A reorganization of the Bulgarian Government should be suggested by the three Allied Governments to permit the formation of a Government which may be recognized by all three, thus placing Bulgaria in a position to conclude a treaty of peace and to be admitted to the United Nations Organization. Such reorganization should be worked out in consultation with the present Bulgarian Government, the leaders of democratic elements at present in opposition, and the representatives, political and military, of the three Allied Governments in Bulgaria.

2. The following general lines of advice should be agreed by the

three Allied Governments leaving the discussion of individuals and other specific details to our representatives in Sofia:

(a) Reorganization of the Bulgarian Government to include representatives of all parties participating in the Fatherland Front on September 9, 1944, that is, in addition to the present Front parties (Communist, Zveno, Obbov Agrarian, Neikov Social Democratic, and Radical) the present Opposition Agrarian and Social Democratic parties and Independents; and representatives of other democratic groups that have emerged since September 9, 1944, such as the Democratic Party.

(b) A pledge on the part of this reorganized Bulgarian Government to hold free elections for a new National Assembly by secret ballot within six months. To assure that the elections are really free the key ministries having direct responsibility for the conduct of the campaign and of the elections should not be controlled by any one political party.

3. The present National Assembly should restrict its legislative activities to the following:

(a) Enacting a general amnesty for all political acts since September 1, 1944.

(b) Amending the electoral law in accordance with recommendations to be made by a special committee appointed by the Assembly representative of all recognized political parties. The purpose of such amendments should be to assure complete freedom to all democratic groups to register candidates, to conduct an electoral campaign and to guarantee the secret ballot.

(c) Amending or repealing as recommended by a similarly representative committee the "Law for the Defense of People's Rights" which through its provisions for extra legal courts serves as a cloak for judicial and administrative excesses.

(d) The passage of a budget law.

(e) Legalization of decree laws adopted from September 9, 1944.

4. The United States would agree to recognize a Bulgarian Government reorganized as set forth above and pledged to the holding of free elections under the conditions outlined herein.

[Enclosure 3]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 18, 1945.

SUGGESTED PROCEDURE WITH REGARD TO RUMANIA

1. The three Allied Governments should agree on a reply to King Michael's letter of August 21, 1945.⁶⁹

⁶⁹ The text of the letter from King Michael of Rumania to Brig. Gen. Cortland T. van R. Schuyler, is contained in telegram M-1454, August 21, from General Schuyler to the War Department, vol. v, p. 574.

2. The reply should state that the three Governments are prepared to advise the King through their representatives in Rumania on steps which might be taken to assure the formation of a Government which might be recognized by all three thereby placing Rumania in a position to conclude a treaty of peace and to be admitted into the United Nations Organization.

3. The following general lines of advice should be agreed by the three Allied Governments leaving the discussion of individuals and other specific details with the King to our representatives in Bucharest:

(a) Reorganization of the Rumanian Government to provide for inclusion of representatives of the National Peasant Party and of the National Liberal Party. (This does not necessarily imply the inclusion in the Government of Maniu, Lupu, or Bratianu but only that there shall be in the Government members truly representative of their parties.)

(b) A pledge on the part of this reorganized Rumanian Government to hold free elections by secret ballot within a specified time. To assure that the elections are really free, the key ministries having direct responsibility for the conduct of the campaign and of the elections should not be controlled by any one political party.

(c) Proclamation by Rumania of a general amnesty with respect to all political acts and offenses committed since August 23, 1944, including the release of persons held for political reasons without specific charges against them.

(d) The United States would agree to recognize a Rumanian Government reorganized as set forth above and pledged to the holding of free elections.

[Enclosure 4]

[Enclosure 4, not here printed, consisted of a paragraph which would become the final paragraph of the United States Proposals on Atomic Energy, included as enclosure 3 to the United States delegation minutes of the Third Formal Session of the Conference, December 18, page 663, where the document is printed in full with the additional paragraph.]

[Enclosure 5]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 19, 1945.

The Soviet Delegation considers it necessary that the Ministers of Foreign Affairs of Great Britain, the United States and the Soviet Union exchange opinions on the following problems of the policy of the Allies in relation to Germany:

1. Regarding German military units in the British zone of occupation.
2. Regarding the repatriation of Soviet citizens from the western zones of occupation of Germany.
3. Regarding reparations from the western zones of occupation of Germany.
4. Regarding the division of the German fleet.
5. Regarding the cancellation of the internal state debt of Germany.

In the attached memorandum the Soviet Delegation presents its views and proposals regarding the problems referred to herein.

[Subenclosure]

*Memorandum by the Soviet Delegation at the Moscow Conference of
Foreign Ministers*

Moscow, December 19, 1945.

REGARDING PROBLEMS OF THE POLICY OF THE ALLIES IN RELATION TO
GERMANY

I

CONCERNING GERMAN MILITARY UNITS IN THE BRITISH ZONE OF
OCCUPATION OF GERMANY

The declaration on the defeat of Germany⁷⁰ and the decisions of the Berlin Conference provided that all of the armed forces of Germany shall be completely and finally disarmed and abolished, in order to prevent forever the revival or reorganization of German imperialism and Nazism.

The Soviet command in Germany has information to the effect that in the British zone of occupation in Germany there exist powerful German military units and their staffs, and also armed forces of other states which waged war against the United Nations on the side of Germany. Detailed information regarding these military units was set forth in the memorandum which the Soviet command presented for the examination of the Control Council. In as much as the existence in the British zone of occupation of powerful German military units and their staffs contradicts the declaration on the defeat of Germany and the decisions of the Berlin Conference, the Soviet Government considers it necessary that appropriate instructions be given to the British Commander-in-Chief for the prompt disarmament and abolition of all German armed forces.

⁷⁰ Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority with Respect to Germany by the Government of the United Kingdom, the United States, the Soviet Union and France, June 5, 1945; for text, see Department of State *Bulletin*, June 10, 1945, p. 1051.

II

CONCERNING THE REPATRIATION OF SOVIET CITIZENS FROM THE WESTERN ZONES OF GERMANY AND FROM OTHER STATES

Soviet citizens subject to repatriation to the U.S.S.R. are up to the present time being detained in the British and American zones of occupation of Germany. According to the information of the Soviet organs of repatriation, in the above zones of occupation there are about 200,000 Soviet citizens subject to repatriation, including Soviet citizens from among the inhabitants of the Latvian S.S.R., the Lithuanian S.S.R., the Estonian S.S.R., the Western Ukraine, and Western Belorussia.

The Soviet Government has repeatedly drawn the attention of the Governments of the United States and Great Britain to the inadmissibility of delaying the repatriation of these citizens, all the more so because such delay arouses great concern in broad public circles of the U.S.S.R.

In view of the foregoing, the Soviet Government once again insists that instructions be given by the Governments of the United States and Great Britain without delay to the commanders of their occupation forces in Germany and Austria, and also to the British and American authorities in other countries where there are camps for Soviet citizens, for the turning over of the above Soviet citizens to the Soviet organs of repatriation within the shortest possible period. Soviet officers for repatriation must without delay be granted access to the camps for Soviet citizens with the purpose of fulfilling the tasks connected with sending these citizens back to the homeland.

III

CONCERNING REPARATIONS FROM THE WESTERN ZONES OF GERMANY

The Berlin Conference of three powers on August 2 of this year decided that "the amount of equipment to be removed from the western zones on account of reparations must be determined within six months from now at the latest".⁷¹

The period provided for by the Berlin Conference for the fulfillment of this task expires on February 2, 1946. In the meantime, the state of affairs in the preparation of this problem up to the present time arouses serious apprehension that this work will not be carried out on time.

Advance deliveries to the Soviet Union on reparations account from the western zone have still not begun and the first confirmed list of

⁷¹ Item IV, 5 of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, p. 1506.

equipment subject to transfer to the Soviet Union is very limited. Thus far the problem of evaluation of equipment subject to removal from the western zone has not been regulated.

In view of this unsatisfactory fulfillment of the decision of the Berlin Conference regarding the problem of reparations from Germany, the Soviet Government considers it necessary that all the preliminary work in determining the amount of equipment subject to removal from the western zone of Germany be accelerated and be completed by February 2, 1946.

IV

CONCERNING THE DIVISION OF THE GERMAN FLEET

On the basis of the decision of the Berlin Conference,⁷² the three governments agreed in principle regarding measures for the utilization and disposition of the surrendered German naval and commercial vessels.

The Soviet Government considers it absolutely incorrect that the vessels of the German fishing, port, technical, and river fleets have not been turned over for division among the three Allied powers, thus constituting a violation of the Berlin Conference. Taking into consideration the foregoing, the Soviet Government considers it necessary to instruct the Tripartite Naval Commission on the division of the German fleet to draft a detailed plan of division for the above categories of vessels also, with the exception of such vessels of these categories as shall be determined by the Allied Control Council in Germany to be necessary for the maintenance of the bases of the peace-time economy of Germany.

V

CONCERNING THE CANCELLATION OF THE INTERNAL STATE DEBT OF GERMANY

The enormous internal state debt of Germany is the result of the financing of the preparation and waging of aggressive war by Germany. Taking into consideration the military character of the debt, and also taking into account the possible deterioration of the economic situation of the broad popular masses of Germany in the event that payments are made on the internal state debt, the Soviet Government considers it expedient to cancel the internal state debt of Germany.

⁷² Item V of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, vol. II, p. 1507.

Moscow Embassy Files : 500 Conference of Foreign Ministers : Telegram

*The Secretary of State to the Ambassador in France (Caffery)*⁷³

Moscow, December 20, 1945—7 p. m.

450. In accordance with my promise to Ambassador Bonnet,⁷⁴ please seek an immediate interview with Bidault and inform him that I am hopeful of reaching agreement with the British and Soviet Foreign Ministers on a formula for the resumption of the work on the preparation of peace treaties with Italy, Roumania, Bulgaria, Hungary and Finland. That formula, which closely follows the one I submitted in the final days of the Council of Foreign Ministers meeting at London, provides for the convocation of a peace conference as outlined therein and for full hearing and discussion by all the invited states on all five treaties and for consideration of their recommendations by States signatory to the terms of the respective armistices. The formula and list of states to be invited follow in my next succeeding telegram.⁷⁵

Please emphasize to Bidault that the formula is being given him in strict confidence until officially made public.

You may add that I have constantly borne in mind the important interest of France in all five treaties. Please acknowledge receipt.⁷⁶

[BYRNES]

Moscow Embassy Files : 500 Conference of Foreign Ministers : Telegram

*The Secretary of State to the Ambassador in France (Caffery)*⁷⁷

Moscow, December 20, 1945—8 p. m.

451. The following is the formula referred to in my preceding telegram:

“PREPARATION OF PEACE TREATIES

“Notwithstanding the decision of the Council of Foreign Ministers regarding the participation of the members of the Council, adopted on 11th September, in the drawing up by the Council of treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland only members of the Council who are, or under the Berlin Agreement are deemed to be, signatory of the surrender terms, will participate, un-

⁷³ A similar telegram (No. 245, December 20) was sent to the Chargé in China for the information of the Chinese Foreign Minister, Wang Shih-chieh.

⁷⁴ See the Secretary's memorandum of conversation with M. Bonnet on December 7, p. 601.

⁷⁵ Telegram 451, December 20, *infra*.

⁷⁶ Telegram 459, December 21, from Paris to Moscow, reported that Bidault had received the Secretary's message and expressed his “gratitude and appreciation” and sent his best wishes (Moscow Embassy Files: 500 Conference of Foreign Ministers).

⁷⁷ Identical message sent to Chungking as telegram 246, December 20.

less and until the Council takes further action under the Berlin Agreement to invite other members on questions directly concerning them.

"The Council will convoke a Conference under the provisions of II, 4(ii) of the Berlin Agreement for the purpose of considering treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland. The Conference will consist of the five members of the Council, which also constituted the five permanent members of the United Nations Security Council, together with all members of the United Nations which actively waged war with substantial military force against European members of the Axis. The Conference will be held in London and will begin its proceedings not later than It will take as the bases for its discussion reports of the Deputies with any modifications agreed upon by the governments of the Deputies in question.

"After full hearing and discussion by the invited states, and upon consideration of their recommendations, the final texts of the respective peace treaties shall be drawn up by States signatory to the terms of the respective armistices (including France in the case of the peace treaty with Italy).

"Final texts of the respective peace treaties as so drawn up will be submitted for the signature to those of the United Nations at war with the respective enemy states."

Following is the list of states to be invited :

"U.S.A.	Ethiopia
U.S.S.R.	Greece
United Kingdom	India
France	Netherlands
China	New Zealand
Australia	Norway
Belgium	Poland
Brazil	Union of South Africa
Canada	Yugoslavia
Czechoslovakia	White Russia
	Ukraine"

Please acknowledge receipt.

[BYRNES]

740.00119 Council/12-1945 : Telegram

The Acting Secretary of State to the Secretary of State, at Moscow

WASHINGTON, December 20, 1945—9 p. m.

2602. Secdel 27. This morning the President in discussing with me your Delsec No. 13 and No. 15 ⁷⁸ asked me to obtain clarification

⁷⁸ Telegram 4218, Delsec 13, December 18, from Moscow, transmitted the Secretary's report on the Second Formal Session of the Conference (740.00119-Council/12-1845). Telegram 4221, Delsec 15, December 19, from Moscow, transmitted the Secretary's report on the Third Formal Session of the Conference (740.00119 Council/12-1945).

for him on one point. Molotov's proposal, together with your counter proposal, appeared to provide that the terms of the treaties would be prepared by the Foreign Ministers Council under Molotov's 4-3-2 London formula; that a peace conference composed as you outlined it would be convened to discuss the treaties; that after the conclusion of the conference the states signatory to the armistice terms plus France in the case of Italy would draft the final treaties; and that the final texts would be signed by the countries represented at the peace conference. The point which interested the President was whether the states signatory to the armistice terms plus France in the case of Italy would in drafting the final texts be bound by the conclusions of the peace conference or whether the conclusions of the peace conference would be purely advisory and could be disregarded by the drafters of the final treaties. The President was inclined toward the former view as the correct one. However, his inquiry was directed toward obtaining your understanding of the matter and not toward expressing any final opinion.

ACHESON

740.00119 Council/1-346

*Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers*⁷⁹

Moscow, December 20, 1945.

PERSIA

If the Soviet Government agree to the appointment of a Commission of the Three Powers to advise the Persian Government on the introduction of provincial government according to the Persian Constitution, the following points might serve as the essential nucleus of the terms of reference.

1. The Commission to keep in mind the undertaking given by Great Britain and Soviet Russia in the Treaty of January, 1942, to respect the political independence, sovereignty and territorial integrity of Persia.

2. The recommendations of the Commission (which must receive the approval of the three Governments before being submitted to the Persian Government) to cover the whole of Persia, including Azerbaijan.

3. Existing laws amplifying the relevant provision of the Constitution to be taken as the point of departure, but the Commission to recommend any amendments which seem to be required, especially in regard to the elections to the local Councils, the powers and duties of

⁷⁹ This memorandum was prepared by Sir Reader Bullard, member of the British delegation; a copy was given to the United States delegation on December 21.

the Councils, and the manner in which they are to be furnished with funds.

4. The Commission shall also make recommendations as to the use of the minority languages, such as Arabic, Turkish and Kurdish for educational and other purposes.

5. The Three Powers will request the Persian Government to pass into law and to put into execution the recommendations put forward by the Commission.

6. The first provincial elections shall be carried out under the supervision of the Commission.

(*Note:* These provisions are designed to bring the Azerbaijan question into proportion with the general problem of provincial reform. Unless this is done Azerbaijan will be on the one hand sufficiently independent to work hand in glove with Russia and on the other sufficiently "within the framework of the Persian State" to exercise a highly disturbing influence throughout the country. The Commission may of course find it necessary to recommend special concession for Azerbaijan and for Khuzistan, which is mainly an Arab province.)

740.00119 Council/12-1545 : Telegram

The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)

WASHINGTON, December 21, 1945—11 a.m.

2604. Secdel 30. For the Secretary. The President discussed with me this morning Whaley Eaton *Foreign Letter* and *New York Times* stories concerning reported disagreement between you and Senators from the Foreign Relations and Atomic Energy Committees (Deptel 2585, December 20, Secdel 24⁸⁰). The President was most anxious that these reports and my telegram concerning his meeting with Senators December 14 (Deptel 2531, December 15, Secdel 10) should not alarm you. He asked me to make clear that he was not disturbed by these incidents and that the reports were being sent to you merely for your information and so that you would not be confused by any accounts of these matters you might receive indirectly. He approves of the proposal set forth in your tel 4196, December 17, Delsec 10.⁸¹ He suggests (but only if you think it would be helpful in promoting cooperation and useful discussion) that you also say to the Soviet

⁸⁰ Not printed; it transmitted the texts of a story in the Whaley-Eaton news service of December 18 and a story by James Reston in the *New York Times* for December 20 (740.00119 Council/12-1545).

⁸¹ Not printed (740.00119 Council/12-1745); it transmitted the text of the United States proposals on atomic energy presented to the Conference and included as enclosure 3 to the United States delegation minutes of the Third Formal Session, December 18, 4 p. m., p. 663.

Government at some appropriate time that United States Government does not purport to have solution to the very troublesome questions involved in the atomic energy problem, but is eager and willing to work with the Soviet Union and other nations toward the establishment as rapidly as possible of mutually acceptable arrangements for full collaboration in respect to the problem and that to this end the United States will be glad to consider such proposals as the Soviet Government may wish to make in respect to any phase of the problem and to discuss them with the Soviet Government both in the United Nations Commission and separately.

ACHESON

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, Moscow, Spiridonovka, December 21, 1945, 2:30 p. m.

Present: ⁸²

The Secretary
Ambassador Harriman
Mr. Bohlen

Mr. Bevin
Sir Alexander Cadogan
Sir A. Clark Kerr
Mr. McAfee

Mr. Molotov
Mr. Vishinsky
Ambassador Gusev
Mr. Pavlov

- Subject: 1. German Military Units in the British Zone of Occupation in Germany.
 2. Repatriation of Soviet Citizens from the Western Zones of Germany.
 3. Removables for Reparations.
 4. Division of the German Merchant Fleet.
 5. Cancellation of the German Internal Debt.
 6. German Assets in Austria.
 7. Ratification of the Bretton Woods Agreement.
 8. Korea.
 9. Far Eastern Commission and Allied Council for Japan.
 10. Regime of the Zumb Straits and the Greater and Little Belt Straits.
 11. Allied Troops in Austria.
 12. Preparation of the Peace Treaties.

THE SECRETARY suggested that they first discuss the list of questions submitted by the Soviet Delegation the day before (copy attached ⁸³).

⁸² According to the United Kingdom delegation minutes of this meeting, Benjamin V. Cohen and John Carter Vincent were also present with the United States delegation, and Pierson J. Dixon and Sir Horace A. C. Rumbold were also present with the United Kingdom delegation.

⁸³ Reference here is presumably to the memorandum by the Soviet delegation included as enclosure 5 to the United States delegation minutes of the Fifth Formal Session of the Conference, December 20, p. 702.

1. GERMAN MILITARY UNITS IN THE BRITISH ZONE OF OCCUPATION IN GERMANY

The first of these dealt with German military units in the British zone of occupation in Germany.

MR. BEVIN said that he had before him the report of Field Marshal Montgomery on this subject which had been read at a recent meeting of the Control Council in Germany.⁸⁴ He said one of the factors in the situation was that in England there were a large number of Italian prisoners who were to be returned to Italy and they would be replaced by German prisoners from Germany. It was not desired to consider them as prisoners of war when they were sent to England since in that case the Geneva Convention would require certain norms as to rations which would cause trouble in England. He said the units in Germany which had not been dispersed were being held in order to send them to England to replace the Italians as soon as the latter could be moved. There were something over 100,000 Italians to be moved as soon as shipping could be made available. Mr. Bevin continued that there were certain Germans in England who were regarded as harmless Germans as distinct from ardent Nazis and it was likewise proposed to send the harmless ones back to Germany and replace them with others. Mr. Bevin said that he felt Field Marshal Montgomery's report made it clear that there were no armed German units in the British zone and that he really hoped that the Soviet suspicions on this point had been removed. He said he felt we should always keep each other informed in order to avoid such suspicions in the future.

MR. MOLOTOV said that on the basis of information received, Marshal Zhukov had raised this question a month and a half ago in the Control Council but that no clear answer had been received.⁸⁵ He said it was a question causing great concern to the Soviet Union. He had heard from Mr. Bevin the first time the problem relating to replacement of Italian prisoners by Germans. He pointed out that the Soviet request was not a new demand but merely called for the carrying out of the Berlin and surrender agreements concerning disarming of Germans.

⁸⁴ Field Marshal Sir Bernard Montgomery, Military Governor of the British Zone of Occupation in Germany, presented a report on the presence of German armed units in the British zone in the course of the 13th meeting of the Allied Control Council for Germany, November 30, 1945; for the report of the transactions of that meeting, see telegram 1154, December 1, from Berlin, vol. III, p. 854.

⁸⁵ At the 12th meeting of the Allied Control Council for Germany, Marshal of the Soviet Union Georgy Konstantinovich Zhukov, Chief of the Soviet Military Administration in Germany, circulated a note to the other Council members in which he protested against the alleged continued existence of German military units in the British zone of occupation; for a report on the events of the 12th Council meeting, see telegram 1066, November 21, from Berlin, *ibid.*, p. 852.

He said it was a matter of great concern to the Soviet Union that eight months after the surrender there were still units of the German armed forces in being, together with their staffs. In addition according to their information there were units of other enemy states who had fought against the United Nations—Hungarian, Latvian, and Lithuanian. He said the Soviet Government could not and would not ignore this situation.

MR. BEVIN stated that he felt that the Soviet suspicion was unjustified and that in effect Mr. Molotov was impugning the honor of Field Marshal Montgomery who in his report denied the accuracy of the Soviet information. He said Field Marshal Montgomery had proposed sending a commission to all four zones in order to check up on the disarming of German military units.

MR. MOLOTOV said no one desired to impugn the honor of Field Marshal Montgomery, but the fact remained that Marshal Zhukov a month and a half ago had proposed that a commission investigate the truth of the information received by the Soviet representatives.

MR. BEVIN replied that Field Marshal Montgomery had accepted this proposal but suggested that the commission go to all four zones. He read from Montgomery's report figures which indicated that the Soviet figures as to undispersed Germans were greatly exaggerated, that, for example, instead of 1,000,000 in Schleswig-Holstein there were only 140,000 disarmed Germans. Furthermore, there were no headquarters groups anywhere in the British zone nor any armed tank detachments. The personnel of one panzer division were being held in concentration camps. He said it was ridiculous to assume that Great Britain which had fought two bloody wars against Germany for its national existence would have any ulterior desire to retain intact any German military units. He could not understand why it would not be reasonable to send a commission to all four zones as Field Marshal Montgomery had proposed on November 30. He said Great Britain was beginning to get the feeling that they were constantly being put in the dock by other nations and that the people of England were beginning to resent it.

MR. MOLOTOV replied that there were no grounds for any such impression and repeated that a month and a half ago Marshal Zhukov had raised the question frankly before the Control Council and had received no serious answer.

He said it was only a question of fact which the Soviet Union could not ignore. He repeated that there was no intention to question the honor of Field Marshal Montgomery. It was only a question of the carrying out of the surrender agreement and the Berlin decisions.

After further exchange on this subject it was finally agreed that a commission would be sent to all zones to check on the specific question

of the manner in which the provisions relating to disarming and dispersal of German units were being carried out and that the Control Council should consider the desirability of further commissions to check on any complaints in regard to matters in the various zones. It was likewise agreed that France as a member of the Control Council should be informed of this decision and invited to join.

2. REPATRIATION OF SOVIET CITIZENS FROM THE WESTERN ZONES OF GERMANY

The meeting then considered the next question on the Soviet list, namely, the repatriation of Soviet citizens from the western zones of Germany.

THE SECRETARY said in this connection that before he left Washington after much discussion a new directive on this subject to Generals McNarney⁸⁶ and Clark had been agreed upon and he assumed although he had not checked it that it had been sent.⁸⁷ He gave a copy of this new directive to Mr. Molotov and Mr. Bevin. He said he hoped that this new directive would satisfy the Soviet complaints set forth in their memorandum.

MR. MOLOTOV said that according to their information there were 200,000 Soviet citizens still held in the western zones of occupation and that Soviet officers were not allowed access to them.

THE SECRETARY replied that according to our information there were only 20,000 Soviet citizens in our zone.

MR. BEVIN read from a list giving the status of repatriation of Soviet citizens from various theaters. 32,042 had been repatriated from England; 917,000 from Germany; 63,000, from Austria, with only 1,500 remaining; 49,000, from Italy, with 674 remaining; 84,000 from Norway, etc.⁸⁸ He said his chief difficulty was with the Polish military, particularly those who came from east of the Curzon Line who took the position that when they left they were Polish citizens and still considered themselves to be Poles.

MR. MOLOTOV said there was no difficulty between Poland and the Soviet Union on this question and he did not see why there should be with Great Britain and America and that he felt this was a matter for

⁸⁶ Lt. Gen. Joseph T. McNarney, Commanding General, United States Forces, European Theater.

⁸⁷ For text of the directive regarding the repatriation of Soviet citizens, see memorandum by the State-War-Navy Coordinating Committee to the Secretary of State, December 21, vol. v, p. 1108.

⁸⁸ In a memorandum communicated subsequently to Molotov and Byrnes, Bevin reviewed the repatriation of Soviet citizens from areas under British control in the following terms: United Kingdom, 32,044 repatriated, repatriation completed; Germany and Denmark, 917,000 repatriated, repatriation completed; Austria, 63,000 repatriated, 1,500 remaining to be repatriated (as of September); Italy, 40,994 repatriated, 674 remaining to be repatriated; Greece and Crete, 652 repatriated, repatriation completed; Norway, 84,000 repatriated, repatriation completed (740.00119 Council/1-2346).

Poland and the Soviet Union to decide and not for anyone else. He said the Soviet position was difficult since it was hard to explain why Soviet citizens were still not being returned to their homes and Soviet officials denied access to the camps where they were confined. If the positions were reversed and such conditions existed in the Soviet Union no one would understand it. This was particularly true when the only question was the return home of Soviet citizens.

THE SECRETARY said that the United States only desired to clear this matter up and to get rid of these persons as soon as possible. He said as Mr. Molotov would see on the new directive, there were three categories of persons who would be returned by force if necessary, namely: (1) Soviet citizens in German uniform, (2) members of the armed forces, and (3) persons concerning whom there was evidence of treacherous activity against the Soviet Union. As to the other category of persons concerning whose citizenship there was doubt, Soviet officials were to be afforded full access to the camps where they were collected. He repeated that he hoped that the new directive would meet the Soviet desires in this matter.

3. REMOVABLES FOR REPARATIONS

The next question on the list was that of the carrying out by the agreed date, namely, February 2, 1946, of the Berlin agreement concerning removables for reparations.

MR. MOLOTOV said that approximately five of the six months period had passed and the slowness of progress was causing great concern in the Soviet Union.

THE SECRETARY replied that according to his information agreement had been reached with the Soviet representatives in Berlin concerning the first installment of the advanced delivery.

MR. MOLOTOV said that this first installment represented a very small amount and that the principal thing was to complete the arrangements on time.

THE SECRETARY replied that according to his information even these advanced deliveries were more than could be transported on existing facilities.

MR. BEVIN said he felt the chief difficulty was that of determining how much production should be left for essential German peacetime needs.

MR. MOLOTOV agreed with Mr. Byrnes but said that the needs of Soviet industry were urgent since in many branches of industry such as fuel and metallurgy Soviet production was below pre-war level because of what had been destroyed during the war or by the Soviets themselves to keep it out of German hands; there was an insistent demand in the Soviet Union to speed up reconstruction and this was im-

possible unless German reparations were received in the near future. He inquired what answer he could give to the Soviet people on this point.

THE SECRETARY said that they might be told that already they were getting more German equipment than could be transported.

MR. MOLOTOV inquired whether it could be said that the Berlin Agreement could be carried out in time.

THE SECRETARY said he knew no reason why this should not be done and that he had several times impressed upon our representatives the need for speed and would continue to do so.

MR. BEVIN agreed and said he was doing likewise.

4. DIVISION OF THE GERMAN MERCHANT FLEET

The next question was that of the division of the German merchant fleet.

MR. MOLOTOV said that they thought instructions should be issued to the Tri-partite Commission concerning the division of the German merchant fleet and that fishing boats and river shipping should be included among the categories to be divided.

THE SECRETARY read point 4 of the Berlin Agreement on this point which stated that river and coastal shipping should be divided only after a determined amount had been left for German needs. He said he had not studied this question as it was the first time he had heard of it.

After some discussion it was agreed that a report as to the status of the matter should be requested from our representatives on the Tri-partite Commission.

5. CANCELLATION OF THE GERMAN INTERNAL DEBT

The next question on the Soviet list was the suggested cancellation of the German internal debt.

THE SECRETARY said he was not informed about this question and it was difficult to discuss it until we know more as to what was involved. He said attached to the Control Council we had financial experts and they should be asked to give their opinion on this suggestion. He said for example it would be necessary to know who would be affected by the proposed cancellation.

MR. MOLOTOV said he had in mind cancellation of the claims of those who had helped finance the German war effort.

MR. BEVIN said that many firms including foreign firms had all their assets seized by the German Government under compulsion and that it might not be fair to cancel off this indebtedness.

MR. MOLOTOV inquired whether the suggestion could not be accepted in principle.

Both THE SECRETARY and MR. BEVIN, however, said this could not be accepted pending a full study of the factors involved in any such cancellation.

It was agreed to request the opinion of the Allied experts on this point.

6. GERMAN ASSETS IN AUSTRIA

THE SECRETARY then said that he had a whole series of questions that he could have raised at this meeting concerning the Control Councils in Austria and Germany, but he did not intend to raise many of them. There was one question, however, that he wished to take up. In Austria some difficulties had been encountered over the question as to the determination of what were German assets in the country and what were Austrian. He said according to our information the Soviet representative had said he had no instructions to discuss this question. Since only the people on the spot could discuss it, he said he hoped that the Soviet Government would authorize their representatives on the Allied Control Council in Austria to discuss with our representatives this matter of German assets.⁸⁹

MR. MOLOTOV said he would look into the matter.

7. RATIFICATION OF THE BRETTON WOODS AGREEMENT

THE SECRETARY said there was one other question that he wished to bring up, namely, the ratification of the Bretton Woods Agreement.⁹⁰ He said that under our law ratifying this agreement it was provided that if 65 percent of the signing nations had not ratified by December 31 a new law would be required by Congress.⁹¹ He said, therefore, he hoped that if the Soviet Government, which had signed the agreement, still favored it, it would be possible to have the Soviet ratification before the end of the year and inquired whether this was constitutionally possible in the Soviet Union.

MR. MOLOTOV said that it would be, but he would have to look into the matter and would let the Secretary know.

8. KOREA

THE SECRETARY said that after examination of the Soviet proposals concerning Korea, he had found them acceptable to the United States Government with a few slight changes and he handed Mr. Molotov

⁸⁹ For the views of the United States Government regarding reparations claims against German assets in Austria, see telegram 10380, November 29, to London, vol. III, p. 668.

⁹⁰ Department of State, *Treaties and Other International Acts Series Nos. 1501 and 1502; United States Treaties and Other International Agreements*, vol. II, pp. 39 and 134; or 60 Stat. (pt. 2) 1401 and 1410, respectively. For documentation regarding United States participation in the Bretton Woods Conference, July 1-22, 1944, see *Foreign Relations, 1944*, vol. II, pp. 106 ff.

⁹¹ For text of the Bretton Woods Agreements Act, Public Law 171, July 31, 1945, see 59 Stat. 512.

and Mr. Bevin a document embodying these changes (copy attached ⁹²). He pointed out that the changes were of a minor character and one was of a purely drafting nature.

MR. MOLOTOV expressed his gratification and said that he would examine the changes.

9. FAR EASTERN COMMISSION AND ALLIED COUNCIL FOR JAPAN

The meeting then took up the question of the Far Eastern Commission and the Allied Council for Japan.

MR. MOLOTOV said that the Soviet Government was prepared to accept the inclusion of India in the Far Eastern Commission in deference to Mr. Bevin's wishes. He proposed that the document which was now agreed in substance be sent to the drafting committee.⁹³

This was agreed.

In regard to the Allied Council Mr. Molotov said that they were prepared to drop the word "control" from their suggestion.⁹⁴

MR. BEVIN said that since Australia was not acceptable as an additional member, he proposed a change in the paragraph related to the composition of the Council. Instead of "a member of the British Commonwealth" it should be stated that a member representing Great Britain, Australia, New Zealand, and India should be substituted.

This was accepted by THE SECRETARY and MR. MOLOTOV.

MR. MOLOTOV then said he thought it would be better to drop the words "exigencies of the situation permitting" from paragraph 4.

THE SECRETARY explained that this was only in case of extreme necessity when the Supreme Commander would not physically be able to consult first with his colleagues on the Council, but that obviously he intended to do so whenever it was physically possible.

MR. MOLOTOV said that it went without saying that if the Supreme Commander could act in cases of urgency then, therefore, it was unnecessary to say so.

MR. BYRNES replied, however, that he thought it would be easier for the Supreme Commander if the provision was left in and relieve him of any possibility of a charge of violating the agreement.

MR. MOLOTOV said in that case he would withdraw his suggestion and the phrase could remain.

⁹² Enclosure 2.

⁹³ Reference here is to the memorandum by the United States delegation, December 19, regarding the Far Eastern Commission, included as enclosure 2 to the minutes of the Fourth Formal Session of the Conference, December 19, p. 677.

⁹⁴ The proposal of the Soviet delegation for revisions of the original United States proposals regarding the Allied Council for Japan is included as enclosure 2a to the minutes of the Third Formal Session of the Conference, December 18, p. 661. For the revised version of the United States proposal on the Allied Council, see enclosure 3 to the minutes of the Fourth Formal Session, December 19, p. 679.

THE SECRETARY and MR. BEVIN accepted Mr. Molotov's amendment to the addition of the word "individual" before the words "members of the cabinet" in the paragraph relating to questions which should be dealt with by unanimous agreement.

10. REGIME OF THE ZUMB STRAITS AND THE GREATER AND LITTLE BELT STRAITS ⁹⁵

MR. MOLOTOV said to turn to another subject Generalissimo Stalin had asked their present meeting to consider the situation in relation to the regime of the Zumb Straits and the Greater and Little Belt Straits (Kattegug [*Kattegat*]). He said Generalissimo Stalin and President Roosevelt had informal discussion on this matter and the Generalissimo felt that the Ministers should exchange views on this subject.⁹⁶ He said they would like to have information concerning the regime of these straits.

THE SECRETARY and MR. BEVIN both replied that they had no knowledge of any such regime in regard to these straits but would be prepared to discuss the situation after they had looked into it.

11. ALLIED TROOPS IN AUSTRIA

THE SECRETARY then inquired whether Mr. Molotov had had time to consult his military advisers in regard to the reduction of Allied troops in Austria.

MR. MOLOTOV said they were still considering that, but he had an additional paper on Austria which he would distribute (copy attached ⁹⁷).

12. PREPARATION OF THE PEACE TREATIES

The meeting then turned to the consideration of the final text of the agreement concerning preparation of peace treaties.

After considerable discussion it was agreed to merge the language of the Soviet and U.S. drafts concerning paragraph 1 of the agreement.

THE SECRETARY proposed that the conference be held in Paris and that the date be set not later than May 1, 1946. After some discussion this was accepted in principle.

There was prolonged discussion as to what states would have the right to sign the treaties when they had been finally drawn up by the states signatory to the armistice terms following the conference.

⁹⁵ The straits under consideration here are presumably the Great and Little Belts and the Sound (Öresund) linking the Baltic Sea and the Kattegat.

⁹⁶ President Roosevelt and Marshal Stalin discussed the question of free navigation in the approaches to the Baltic Sea in the course of a tripartite dinner meeting, November 28, 1943, at the Tehran Conference. See *Conferences at Cairo and Tehran*, pp. 510-511.

⁹⁷ For text of the Soviet delegation's memorandum on German and other military units in Austria, see enclosure 3 to these minutes, p. 721.

It was finally agreed that: (1) In addition to the signatories to the armistice that all countries invited to the conference who were legally at war with any given enemy state should sign that treaty at the same time; (2) that other states legally at war with a given enemy state but not invited to the conference should be invited to adhere to the treaty at a later date; and (3) that the treaties enter into force upon their ratification by the countries signatory to the armistice terms. (Under the Berlin Agreement, France is regarded as a signatory to the Italian armistice.⁹⁸)

The agreement regarding the preparation of peace treaties was referred to the drafting committee to be put into final form.

In regard to informing France and China of this decision Mr. MOLOTOV inquired whether they should not be just simply informed.

MR. BEVIN stated he thought more than that was required and that they should be asked to agree.

MR. BYRNES concurred in Mr. Bevin's view that something more than mere information was required to these two countries but added that it should be presented in such manner as not to allow the whole agreement between the three Governments to be held up in the event of objection on the part of France or China.

It was agreed that France and China were to be informed and invited to agree to this decision by the Chairman, Mr. Byrnes.

[Enclosure 1]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 21, 1945.

CONCERNING AMERICAN ARMED FORCES IN CHINA

Up to the present time on the territory of China, according to information at the disposal of the Soviet Government, there are up to 500,000 non-disarmed Japanese troops with officer corps and staffs. This appears to be a violation of the terms of surrender approved by the Allied Powers.

In President Truman's Declaration of December 15, 1945 on American policy with respect to China and in the memorandum of the Secretary of State, Mr. Byrnes, of December 16, 1945, it is stated that American troops and marines are in China.⁹⁹ Along with this it is stated that American armed forces, brought to China for the pur-

⁹⁸ According to the account in Byrnes, *Speaking Frankly*, p. 114, Molotov informed Byrnes of the Soviet agreement to the proposed list of states to be invited to the peace conference following a telephone conversation with Stalin.

⁹⁹ The memorandum by the United States delegation regarding American marines in China is included as enclosure 5 to the minutes of the First Formal Session of the Conference, December 16, p. 628.

pose of disarming the Japanese troops, will remain there in order fully to eliminate Japanese influence and to bring about the stabilization of the internal situation in China. But the dates of disarmament of the Japanese troops and the evacuation from China of the armed forces of the USA are not indicated. At the same time, it is known that Japanese troops are being drawn into north China to participate in military operations on the side of the troops of the Chinese Government against non-government Chinese troops, and thus Japanese forces are being drawn into the struggle between different portions of the Chinese people.

The Soviet Government adheres to a policy of non-interference in the internal affairs of China. It believes that the interference of foreign troops in the internal affairs of China is leading to an aggravation of the internal-political struggle and complicates the situation in China. Since this is a question of Japanese troops in a zone where the disarming of these troops, according to General MacArthur's order no. 1, approved by the four powers, should be carried out by the troops of the Chinese Government, it is necessary that the Chinese Government urgently take appropriate measures. The task of disarming the Japanese troops in this zone should not be assigned to any other foreign troops.

Supporting the policy of non-interference in the internal affairs of China, the Soviet Government rigidly limits the tasks and time of the presence of Soviet forces in Manchuria to the framework of the agreement which it has with China in regard to Manchuria. In accordance with this agreement Soviet troops in due time disarmed all the Japanese troops in Manchuria and evacuated them as war prisoners to Soviet territory, and in the month of November the evacuation of Soviet troops from Manchuria in accordance with the plan communicated to the Chinese Government was begun. Soviet troops had already been evacuated from southern Manchuria when the Chinese Government requested the Soviet Government to postpone for one month the evacuation of Soviet troops from Manchuria. The Soviet Government agreed to this, and halted the evacuation of the Soviet troops which had begun.

Since the United States of America also has its troops in China, the Soviet Government believes that it would be right for the Governments of the Union of Soviet Socialist Republics and the United States of America to arrive at an understanding between themselves on the simultaneous evacuation of their troops from China, this to be completed in any event no later than the middle of January 1946. As regards the internal problems of China, the Soviet Government believes that these tasks should be decided by the Chinese people itself and its Government without interference from other states.

[Enclosure 2]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 21, 1945.

KOREA—SUGGESTED REPHRASING OF RUSSIAN PROPOSAL OF
DECEMBER 20, 1945 ¹

With reference to the final sentence of paragraph 2, it is suggested that the sentence be rephrased to specify that the recommendations worked out by the Commission shall be presented for the consideration of the four interested Governments. Final decision would, of course, rest with the Governments represented on the Joint Commission but it is believed desirable that the other two Governments, the United Kingdom and China, who also have a very large interest in the development of an independent Korea be given an opportunity to consider proposals for a government. The sentence might then read:

"The recommendations worked out by the Committee shall be presented for the consideration of the Governments of the U.S.S.R., China, the U.K. and the U.S.A. prior to final decision by the two Governments represented on the Joint Commission."

In the second paragraph of numbered paragraph 3 it is suggested that the first sentence in that paragraph be altered to read:

"The proposals of the Joint Commission shall be submitted, following consultation with the provisional Korean government for the joint consideration of the U.S.A., U.S.S.R., Great Britain and China for the working out of an agreement concerning a four-power trusteeship of Korea for a period of up to five years."

[Enclosure 3]

*Memorandum by the Soviet Delegation at the Moscow Conference of
Foreign Ministers*

Moscow, December 21, 1945.

ON GERMAN AND OTHER MILITARY UNITS IN AUSTRIA

The agreement on the Control mechanism in Austria ² provides that one of the major tasks of the Allied Commission shall be to assure

¹ For text of the Soviet delegation's memorandum regarding Korea, see enclosure 1 to the minutes of the Fifth Formal Session of the Conference, December 20, p. 699.

² For text of the Agreement on Control Machinery in Austria, signed *ad referendum* on July 4, 1945, in London, at a meeting of the European Advisory Commission, see *Conference of Berlin (Potsdam)*, vol. I, p. 351.

the fulfilment in Austria of the provisions of the declaration on the defeat of Germany.³ As is known, that Declaration states that all armed forces belonging to or under the control of Germany must be fully and completely disarmed and abolished. The abovementioned provisions are extended also to the Austrian army, since from 1938 on it was a part of the German armed forces and actively participated in the war on the side of Germany.

Facts have become known to the Soviet Government that German military units made up of Austrians exist in Austria and that attempts are being made to restore the Austrian army on the basis of them. The state military chancellery, under which a military administration similar in structure to the general staff has been created, has been restored without the knowledge of the Allies. Territorial military administrations are being formed in the provinces. In accordance with directives of the state military chancellery, the military administration in Styria has elaborated a plan of organizing an army, including armored units and air forces, numbering 40,000 men. Measures are being taken to supply this army with military property and ammunition.

There is also information on the formation of Austrian military units in the British zone of occupation. Thus, for example, the British command has formed an "Austrian" brigade under the command of Lieutenant General Aldrian out of the 68th and 69th army corps and the "Noldechen" corps group of the former German army. At the present time this brigade contains 12 infantry regiments each headed by an officer of the former German army with ranks from major to colonel. According to instructions of the British command, all call-up points for Austrians previously organized by the German command have been restored in the British zone of occupation in Austria. These call-up points make a strict inventory of all military servicemen. The chiefs of the call-up points are appointed by the British command and are maintained at its expense. All military units formed in the British zone of occupation of Austria from the former German army are fully subordinated to the British military command and are supplied with all types of rations. There are arms in the units mentioned.

Apart from Austrian military units, non-disarmed military units formed by the Germans from citizens of other states who took active part with the German army in the war against the United Nations are being maintained in the British zone of occupation in Austria. For example, a Russian white guard infantry corps of Colonel Rogozhin, numbering up to 15,000 men, is deployed in the area of Klagenfurt.

³ For text of declaration, signed at Berlin June 5, 1945, see Department of State *Bulletin*, June 10, 1945, p. 1051.

This corps was formed by the Germans in 1941 and took active part in battles against Allied troops. The whole structure of the corps with all staffs and services has been preserved by the British command and arms have been retained. Another Russian white guard unit under the command of Colonel Geltlyar, numbering 7,500 men, is located in the region of Andersdorf.

The Soviet Government considers the above-mentioned facts a violation of the Declaration on the defeat of Germany and the decisions of the Berlin Conference on the disarmament and abolition of the armed forces of Germany and other military units under its control. The existence in Austria of remnants of the German army under the appearance of national Austrian units cannot be permitted in view of the danger of preserving the cadres of the German army.

The Soviet Government therefore considers it necessary that appropriate instructions on the part of the British and other Allied governments be urgently issued to the British and other commanders-in-chief in Austria concerning the steadfast fulfilment of the agreement on the control mechanism in Austria, which provides for the disarming of the German army and of other military units under the control of the German command.

740.00119 Council/1-2346

*Memorandum Prepared by the Drafting Committee of the Moscow Conference of Foreign Ministers*⁴

[Moscow, December 21, 1945.]

PREPARATION OF PEACE TREATIES WITH ITALY, ROUMANIA, BULGARIA,
HUNGARY AND FINLAND

1. In the drawing up by the Council of Foreign Ministers of treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland, only members of the Council who are, or under the terms of the Agreement establishing the Council of Foreign Ministers adopted at the Berlin Conference are deemed to be, signatory of the surrender terms, will participate, unless and until the Council takes further action under the Agreement to invite other members of the Council to participate on questions directly concerning them. That is to say:

⁴ This draft was prepared by the Drafting Committee in pursuance of the decision of the Foreign Ministers at their informal meeting of December 21, 2:30 p. m.; see item 12 of the United States delegation minutes of that meeting, p. 710. This draft served as the basis of discussion for the Foreign Ministers at their informal meeting of December 22, noon; see the United States delegation minutes of that meeting, p. 727.

- (A) The terms of the peace treaty with Italy will be drafted by the Foreign Ministers of the United Kingdom, the United States, the Soviet Union and France.
- (B) The terms of the peace treaties with Roumania, Bulgaria and Hungary by the Foreign Ministers of the Soviet Union, the United States and the United Kingdom.
- (C) The terms of the peace treaty with Finland by the Foreign Ministers of the Soviet Union and the United Kingdom.

The Deputies of the Foreign Ministers will immediately resume their work in London [on the basis of the decisions agreed at the first plenary conference of the Council of Foreign Ministers].

(Words in square brackets not agreed by Soviet member of drafting committee, referred to the three Foreign Ministers for decision.)

2. When the preparation of all these drafts has been completed, the Council of Foreign Ministers will convoke a conference for the purpose of considering treaties of peace with Italy, Roumania, Bulgaria, Hungary and Finland. The conference will consist of the five members of the Council of Foreign Ministers together with all members of the United Nations which actively waged war with substantial military force against European enemy States, namely:

Union of Soviet Socialist Republics.	Czechoslovakia.
United Kingdom.	Ethiopia.
United States of America.	Greece.
China.	India.
France.	Netherlands.
Australia.	New Zealand.
Belgium.	Norway.
Belorussian Soviet Socialist Republic.	Poland.
Brazil.	Union of South Africa.
Canada.	Yugoslavia.
	Ukrainian Soviet Socialist Republic.

The conference will be held in Paris not later than the 1st May, 1946.

3. After the conclusion of the deliberations of the conference and upon consideration of its recommendations the States signatory to the terms of armistice with Italy, Roumania, Bulgaria, Hungary and Finland or regarded as such (France, for the purpose of peace treaty with Italy) will draw up final texts of peace treaties.

4. The final texts of the respective peace treaties as so drawn up will be signed on behalf of the States represented at the conference, which are at war with the enemy States in question. The texts of the respective peace treaties will then be sent to the other United Nations which are at war with the enemy States in question.

5. The peace treaties will come into force immediately after they have been ratified by the Allied States signatory to the respective

armistices, France being regarded as such in the case of Italy. These treaties are subject to ratification by the enemy's States in question.

740.00119 Council/12-2245 : Telegram

The Secretary of State to the Acting Secretary of State

Moscow, December 22, 1945—1 a. m.
[Received December 21—8:02 p. m.]

4253. Delsec 19. Reurtel 2602, December 20, 9 p. m. (Secdel 27). Under proposal after consideration of recommendations of conference final approval of text would be by signatories to armistice terms in each case but all members of conference at war with a state would be invited to sign. While signatories to the armistices would not be bound by the recommendations of the conference we could if we thought it proper, refuse to give final approval to any treaty which unwarrantably disregarded recommendations.

If agreed to the proposal must be sent to France and China and therefore must be confidential.

[BYRNES]

Moscow Embassy Files : 500 Conference of Foreign Ministers : Telegram

The Secretary of State to the Chargé in China (Robertson) ⁵

Moscow, December 22, 1945—2 a. m.

248. See Foreign Minister Wang at once and inform him as follows:

Agreement has been reached with Molotov and Bevin in regard to terms of reference for the Far Eastern Commission and the Allied Council for Japan. Modifications from drafts handed the Chinese Embassy in Washington at end of last month ⁶ have been agreed upon and are as follows:

FAR EASTERN COMMISSION

Article II-A paragraph 3 add after governments "in accordance with the voting procedure provided for in Article V-2 hereunder."

Article II-C substitute the following: "C. The Commission in its activities will proceed from the fact that there has been formed an Allied Council and will respect existing control machinery in Japan, including the chain of command from the United States Government

⁵ The text of this telegram was also transmitted to the Chinese Ambassador in Moscow, under cover of a letter from Ambassador Harriman dated December 22, 1945.

⁶ The text of the tentative terms of reference of the Far Eastern Commission as of the end of November were set forth in telegram 2434, December 1, to Moscow, printed in vol. VI, section entitled "Surrender of Japan . . .", Part II.

to the Supreme Commander and the Supreme Commander's command of occupation forces."

Article III: substitute for paragraphs 3 and 4 the following inclusive paragraph 3:

"The United States Government may issue interim directives to the Supreme Commander pending action by the Commission whenever urgent matters arise not covered by policies already formulated by the Commission; provided that any directives dealing with fundamental changes in the Japanese constitutional structure or in the regime of control, or dealing with a change in the Japanese Government as a whole will be issued only following consultation and following the attainment of agreement in the Far Eastern Commission."

ALLIED COUNCIL

Paragraph 2 altered to read after "Chinese member;"—"and a member representing jointly the United Kingdom, Australia, New Zealand, and India." Paragraph 4 altered to read as follows:

"4. The Supreme Commander shall issue all orders for the implementation of the Terms of Surrender, occupation, and control of Japan, and directives supplementary thereto. In all cases action will be carried out under and through the Supreme Commander who is the sole executive authority for the Allied Powers within the area of his command. He will consult and advise with the Council in advance of the issuance of orders on matters of substance, the exigencies of the situation permitting. His decisions upon these matters shall be controlling.

If, regarding the implementation of policy decisions of the Far Eastern Commission on questions concerning a change in the regime of control, changes in the constitutional structure, and changes in the Japanese Government as a whole, a member of the Council disagrees with the Supreme Commander (or his Deputy) the Supreme Commander will withhold the issuance of orders on these questions pending agreement thereon in the Far Eastern Commission.

In cases of necessity the Supreme Commander may take decisions concerning the change of individual ministers of the Japanese Government, or concerning the filling of vacancies created by the resignation of individual members of the cabinet, after appropriate preliminary consultation with representatives of the other Allied Powers on the Allied Council."

Paragraph 5 deleted.

These modifications do not affect China's participation and are agreeable to Molotov and Bevin. The Soviet Government is now prepared to join the Far Eastern Commission and the establishment of an Allied Council is made possible. Please endeavor urgently to ob-

tain Chinese concurrence in the foregoing revisions in time for me to receive notice thereof not later than Sunday morning, December 23.⁷

[BYRNES]

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, the Kremlin, Moscow, December 22, 1945, noon

Present: ⁸

The Secretary	Mr. Molotov	Mr. Bevin
Mr. Cohen	Mr. Vishinsky	Sir Alexander Cadogan
Ambassador Harriman	Ambassador Gusev	Sir A. Clark Kerr
Mr. Bohlen	Mr. Pavlov	Mr. Dixon
		Mr. Rumboldt

Subject: 1. Preparation of Peace Treaties
2. The Balkans

THE SECRETARY said that the final agreement on the preparation of peace treaties had been agreed to except for one sentence which was in brackets in the paper relating to the preparation of the renewal of the Deputies' work.⁹ He said he thought it would be wise to leave that phrase in so that there would be no doubt that the Deputies start on the basis of agreements reached at the Council of Foreign Ministers.

MR. MOLOTOV replied that that went without saying and it was not necessary, and in any case they would instruct their Deputies to that effect.

THE SECRETARY urged, however, that in order to avoid any misunderstanding in the minds of our Deputies the sentence be left in.

MR. MOLOTOV said he would consider it.

MR. VISHINSKY then proposed that in paragraph 4 it was necessary to indicate the purpose for which the treaties would be sent to other United Nations. He suggested the addition of the words "for their adherence". This was accepted by Mr. Byrnes and Mr. Bevin.

⁷ Telegram 14, December 22, 8 p. m., from Chungking to Moscow, reported that Foreign Minister Wang was in Nanking with Generalissimo Chiang Kai-shek (Moscow Embassy Files: 500 Conference of Foreign Ministers). Telegram 15, December 23, 2 a. m., from Chungking to Moscow, reported that the Secretary's message had been delivered to Chinese Vice Minister for Foreign Affairs Liu Chieh, who expressed the concurrence of the Chinese Government in the proposed revisions (Moscow Embassy Files: 500 Conference of Foreign Ministers/710-China).

⁸ According to the United Kingdom delegation minutes of this meeting, Ambassador Malik was also present with the Soviet delegation and Mr. McAfee was also present with the United Kingdom delegation.

⁹ For text of the draft agreement on the preparation of the peace treaties, as prepared by the Drafting Committee on December 21, see p. 723.

MR. MOLOTOV then said that the Soviet Delegation accepts the American amendments to the Soviet proposals on Korea.¹⁰ The document was referred to the drafting committee for a final text.

THE SECRETARY then proposed the discussion of the American proposals in regard to Roumania and Bulgaria.¹¹

MR. MOLOTOV said that he must state that the United States proposals were not acceptable to the Soviet Government. There had recently been general elections in Bulgaria and the population had participated to an unusual degree.¹² The parliament had been elected by secret ballot and, although the opposition was not satisfied, this was true of oppositions in all countries.

After comment by MR. BEVIN that this was not so in England and following an exchange of pleasantries, MR. MOLOTOV continued that future interference would be greatly resented by the Bulgarian people after the elections, and it was for this reason that the Soviet Delegation could not accept the American proposal.

THE SECRETARY replied that we were connected with these problems through our participation in the Yalta Declaration signed by President Roosevelt and Marshal Stalin and Prime Minister Churchill in which the three countries pledged themselves to act together to assure representative temporary governments and free unfettered elections.¹³ He said that the existing governments could not be recognized by the United States although we had made a sincere effort in sending a special representative to these countries to find some way out of our difficulty. He said, since our proposals were not acceptable, that he appealed to Mr. Molotov to make some of his own. We had just accepted the Soviet proposals on Korea and he hoped very much that Mr. Molotov would give some help in finding a solution to our difficulties in regard to Bulgaria and Rumania.

MR. MOLOTOV replied that the Yalta Declaration did not oblige the three governments to interfere in every case in the internal affairs of other countries but only when the interests of peace were involved and the furtherance of democratic processes. In Bulgaria these democratic conditions had been met and if the opposition was dis-

¹⁰ The memorandum by the United States delegation regarding a suggested rephrasing of the Russian proposal of December 20 is included as enclosure 2 to the United States delegation minutes of the Informal Meeting of December 21, 2:30 p. m., p. 721.

¹¹ For texts of the memoranda by the United States delegation setting forth suggested procedures with regard to Bulgaria and Rumania, see enclosures 2 and 3 to the minutes of the Fifth Formal Session, December 20, pp. 700 and 701, respectively.

¹² Regarding the Bulgarian national elections of November 18, 1945, see telegrams 702, November 19, and 708, November 20, both from Sofia, vol. iv, pp. 389 and 390, respectively.

¹³ Reference is to the Declaration on Liberated Europe, included as section V of the Report of the Crimea Conference, February 11, 1945, *Conferences at Malta and Yalta*, p. 971.

satisfied, that was true everywhere. He added that if the United States and British representatives in Bulgaria had not encouraged the opposition, the situation would have settled down. He said these representatives had protected members of the opposition and had thus encouraged them and worsened the situation. In Rumania the King had caused difficulties for himself and his country but this would not have happened had it not been for encouragement by foreign representatives. The difficulty between the government and King had resulted, according to the King himself, from a request by the United States and British representatives connected with the attitude of those countries. The result had been to delay the elections. Events would have taken their natural course in Rumania had it not been for interference from without. These events could, in the long run, only cause additional difficulty for the King. General elections would show what political figures enjoyed the support of the people. He said the Soviet army was not only in Rumania and Bulgaria but also in other countries such as Hungary and Austria, and their presence had not prevented free elections. In a number of countries, these and Finland, elections had been held, giving this result. The Soviet army had not and would not interfere in the internal affairs of any country. He said we should adopt the same principle in regard to Bulgaria and Rumania since it was fully in accord with the Yalta Declaration.

THE SECRETARY replied that they had several times discussed the point that there was no agreement between us as to the facts of the case. For example, after rechecking he was able to say that at no time had our representative ever advised the King to take his action and the King himself had confirmed this.

MR. BEVIN remarked that the same went for the British representative.

THE SECRETARY continued that as we both knew the other's position, there was no purpose in reviewing conditions in these countries or in discussing Mr. Ethridge's report which he had given to Mr. Molotov.¹⁴

MR. MOLOTOV inquired why Mr. Ethridge had not gone to Greece where the situation was worse but only to Bulgaria and Rumania.

THE SECRETARY said that he had explained this to Mr. Molotov in London, that he had sent Mr. Ethridge to Bulgaria and Rumania because he would be an independent and unprejudiced person who had no connection with events in those countries. He said that in regard to Greece he had already told Mr. Molotov that in response to an appeal from the Greek Government on behalf of the Yalta Declaration the United States had designated Mr. Grady, a former

¹⁴ For text of the Ethridge Report, see Mr. Ethridge's letter of December 8, to the Secretary of State, vol. v, p. 638.

member of the Department of State, to go to Greece and observe the elections.¹⁵ He would have with him a group of Americans including several college presidents. He added that he understood that the Soviet Government had been requested also to send observers but had not accepted this invitation. He said he had not sent Mr. Ethridge to Bulgaria and Rumania to criticize the governments there but to examine means of getting out of our difficulties so that we could carry out our obligations under the Yalta Declaration and proceed thereafter to help out in what we understood was a bad economic situation.

MR. MOLOTOV said that Soviet troops for the most part carried their own supplies with them.

THE SECRETARY inquired how many troops the Soviets had in these countries.

MR. MOLOTOV said he could not answer from memory but he believed Marshal Stalin had given that information at Potsdam.

THE SECRETARY repeated his request that Mr. Molotov make some suggestion for a solution of these problems.

MR. MOLOTOV stated that we should not create difficulties where circumstances did not justify them. In Bulgaria following the elections a new government would be appointed which the United States and Great Britain could recognize even if they would not be satisfied with the whole government. He said this new government would be approved by a parliament elected on the basis of general elections and secret ballot, and so far as the Soviet Government was concerned he felt that the selection of the government was a matter for the Bulgarian parliament to decide. In Rumania our common task is to facilitate the holding of elections so that a new parliament might be elected, and advice might be given to the King and Rumanian Government to set about preparations for these elections. In regard to Greece he must again mention that although the situation was worse there from the point of view of democracy, the attitude of America, to say nothing of England, was quite different toward Greece. Not only the Soviet Union but other democratic elements in other countries were also dissatisfied with the situation in Greece. In Greece there were constant governmental crises and disturbances; yet the United States had recognized the Greek Government. He went on to say that Mr. Ethridge's reports merely repeated the position of the Department of State which indicated that he was aware of this position. In fact Mr. Ethridge could have written his report without taking his trip.

¹⁵ On October 20, 1945, Henry F. Grady was appointed personal representative of President Truman to head the United States mission to observe the forthcoming Greek elections; Grady arrived in Greece on November 27.

MR. BYRNES replied that on the contrary in his opinion Mr. Ethridge's report merely confirmed the fact that our representatives there had been reporting correctly and without any prejudice. In regard to Greece he said that the question of recognition had not arisen since we had always recognized the Government of Greece throughout the war which was an Allied government. Nevertheless Mr. Grady was being sent to observe the elections, and if the Government of Rumania would request similar observers from the United States, we would be only too glad to do so.

MR. BEVIN said that Great Britain was for a settlement of the problems connected with Bulgaria and Rumania and only wished to see elections in Greece held as soon as possible. He repeated that there was no evidence to justify the charge that the British representatives had interfered in or even advised Bulgaria and Rumania. They had only the control commissions to work through but this had sometimes been difficult. He inquired whether the three governments could not combine on some machinery in regard to elections in Rumania.

MR. MOLOTOV replied that there had been a misunderstanding. He had not meant any outside supervision of elections but merely that we should not help the King delay the elections.

MR. BEVIN replied that he felt that if we were to advise the King not to hold up the elections, under the Yalta Agreement we would have some responsibility as to the conditions and character of that election. No one, he said, wishes to delay the elections but merely to see that they were fair. The Balkan States had always been a headache and he recalled that in his youth he remembered Mr. Gladstone's speeches on the Balkans. He said we have this advantage: there were no elections yet in Rumania.

MR. MOLOTOV replied that in his view this was a disadvantage. He then cited the Yalta Agreement concerning the right of sovereign states to settle their own internal affairs as set forth in the Atlantic Charter. He felt that all three governments should support this principle. He repeated that the United States adopted a different attitude toward Greece than it did toward Bulgaria and Rumania although the situation was infinitely worse in the former country. He read a press report taken from the *New York Times* concerning the orderly fashion in which the elections in Bulgaria had taken place. He said no one could deny the fact that there was wider participation in these elections than in any other in the history of Bulgaria. He said order reigns in that country, which was likewise carrying out faithfully its obligations to the Allies. The Soviet Government could not in any circumstances agree to a cancelation of these elections when the holding of new elections was not necessary. Such action would be contrary to the Yalta Declaration. He repeated that the Bulgarian

parliament would confirm a new government shortly and this should make it possible for the United States and Great Britain to establish relations with that government. It would be a government approved by their own parliament and not imposed by foreign pressure. The Soviet Government would consider no proposal which would not accept the result of the elections in Bulgaria. He said in Rumania no general elections had been held and that since our three governments were interested in having such elections a time might be fixed, perhaps next summer, and appropriate advice given to the King and the government to proceed with the preparation of an electoral law.

MR. BYRNES repeated that the problem of recognition had not arisen since we had always had relations with the Greek Government and the King had merely transferred his power to a regent. He said in regard to Rumania, would it not be possible to suggest a reformation in the Rumanian Government whereby the Ministry of Internal Affairs would not be in the hands of one party? This would give greater assurance that the elections would be free and unfettered. He said that, according to our information, the National-Peasant Party and the Liberal Party were not represented in the government although these parties had vigorously opposed pro-fascist policies of former King Carol. He said he felt these parties should be given representation and some arrangement made for the Ministries of Interior and Justice to be in the hands of several parties and not just one since these ministries would control the election.

MR. MOLOTOV observed that elections had been held in Hungary and Austria with no changes in the Ministry of the Interior and no control by foreign states.¹⁶ He said in these countries the Soviet Government had equally great influence as in the Balkan countries. These elections had permitted the people to express their views freely, as the results of the elections testified. He felt it was a mistake for the three governments to interfere in the internal affairs of another country or to attempt to exercise control over elections, which would be contrary to the Yalta Declaration. It was for these reasons that the Soviet Government had refused to participate in the control over the Greek elections although conditions there were unsatisfactory to the Soviet Union as they were to other democratic-minded countries. The only thing to do in Greece was for the agreement which was accepted by the British and Greek Governments to be carried out without interference from outside. The Soviet Government felt that the Greeks themselves should decide their own internal affairs.

¹⁶ Regarding the Hungarian national election of November 4, 1945, see telegram 886, November 9, from Budapest, vol. iv, p. 904. Regarding the Austrian election of November 25, see telegram 498, November 27, from Vienna, vol. iii, p. 664.

Mr. Molotov continued that in regard to Bulgaria, elements of the opposition had not wished to take part in the elections although they could have, and therefore if the three powers were now to insist upon the inclusion of these opposition elements in the government, it would be a violation of the Yalta decision. The Soviet Government felt strongly that the Bulgarian parliament alone should decide the composition of the Bulgarian Government and not have a government imposed upon them from without. In any event the Soviet Government would never be a party to such action.

In the case of Rumania there had been no elections. Our three governments desired to see these elections take place and could reach an agreement on the time, perhaps next summer, and advise the King and government to undertake immediately the drawing up of an electoral law. He also thought that if Rumania would not object—and it would be necessary to ask her opinion—the three governments could advise the Rumanian Government to broaden itself by the inclusion of one or two Ministers without Portfolio to be named from non-party statesmen, on the condition that the three governments would agree not to delay the conclusion of a treaty of peace with Rumania. This suggestion could be considered provided Rumania had no objection.

THE SECRETARY remarked that it would be wise also to ask for the inclusion of representatives of the National-Peasant and Liberal parties.

MR. MOLOTOV replied that they were already included.

MR. VYSHINSKI explained that there were a number of posts in the government held by representatives of these parties.

MR. MOLOTOV said that Tatarescu was the leader of the Liberal Party since he had received a majority over Bratianu in the last party congress.¹⁷

MR. VYSHINSKI added that Antontinescu [*Constantinescu-Iasi*] was Minister of Propaganda and Ralli [*Ralea*] was Minister of the Fine Arts, and others were in the government.¹⁸ He remarked that there were six or ten leaders of the National-Peasant Party none of whom recognized the other.

MR. BEVIN inquired whether it was not true that Tatarescu had been accused of collaborating with the Germans.

MR. MOLOTOV and MR. VYSHINSKI said this was not true because he

¹⁷ Gheorghe Tatarescu, Vice Premier of the Rumanian Government, was a leader of a group of dissident members of the Rumanian National Liberal Party. Dinu Bratianu was the long-time president of the National Liberal Party.

¹⁸ According to despatch 158, March 15, 1945, from Bucharest, reporting on the formation of the Petru Groza government in Rumania, Professor Constantinescu-Iasi was a member of the Communist Party and Mikhail Ralea was a member of the Communist-oriented Plowmen's Front (871.00/3-1545).

had not been in the government. On the contrary he had been closely associated with Titulescu.¹⁹

THE SECRETARY remarked that according to our information they were not the real representatives of these parties but he would have to check on that with Mr. Matthews. He inquired whether it would not be possible to do something about the Ministries of Interior and Justice so that other parties would have a voice in the control of the elections and not leave this control to representatives of one party.

MR. MOLOTOV said the Soviet Government could not agree to that as it would be an unjustified interference in the internal affairs of Rumania.

THE SECRETARY replied that he felt that a suggestion for a commission of three to run these ministries would not, in his opinion, be resented by the King.

MR. MOLOTOV replied that it was not only a question of the King but of the people. The King's policies were undermining his authority and popularity with the people. He repeated that elections had taken place in a number of defeated countries without outside interference and without any violation of the Yalta Declaration. There were no grounds for believing that the elections in Rumania would be any different and would not correspond to the wishes of the people. He again repeated his suggestion that if Rumania agreed, it might be possible to suggest the inclusion of one or two Ministers without Portfolio but not to suggest specific Ministries as that would be unjustified interference.

The meeting then adjourned to reassemble in formal session at 5 o'clock the same afternoon.

740.00119 Council/12-2645

United States Delegation Minutes, Sixth Formal Session, Conference of Foreign Ministers, Spiridonovka, Moscow, December 22, 1945, 5:10 p. m.

Present: ²⁰ Mr. Molotov, Commissar for Foreign Affairs
 Mr. Vyshinski, Vice Commissar for Foreign Affairs
 Mr. Gusev, Soviet Ambassador to London
 Mr. Malik, Soviet Ambassador to Tokyo
 Mr. Tsarapkin, Chief, American Section, NKID
 Mr. Pavlov, Interpreter

¹⁹ Tatarescu was Rumanian Prime Minister, 1933-37; Nicolae Titulescu was Rumanian Foreign Minister, 1933-36, during which period Rumanian relations with the Soviet Union were improved.

²⁰ According to the United Kingdom delegation minutes of this meeting, Sir Reader Bullard, British Ambassador in Iran, Major General Jacob, and Mr. Ward were also present with the United Kingdom delegation.

Mr. Byrnes, Secretary of State
Mr. Cohen, Counselor of Department of State
Dr. Conant, President, Harvard University
Mr. Harriman, American Ambassador to Moscow
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir R. Campbell, Ambassador
Mr. Sterndale Bennett, Counselor, Far Eastern Department
Mr. McAfee, Interpreter

Subjects: China
Zonal Investigation Committees
Atomic Energy
Preparation of Peace Treaties

1. CHINA

MR. BEVIN opened the meeting at 5:10 p. m. He invited discussion on point 6 of the agenda (atomic energy).

MR. MOLOTOV inquired as to when the north China question would be discussed.

MR. BYRNES said that he had not had an opportunity to study the Soviet paper presented this [*yesterday?*] morning²¹ and requested that the subject be taken up at the next meeting. He would be glad to discuss China again.

Mr. Byrnes stated that the United States views on atomic energy had been set forth in proposals submitted a few days ago.²² He desired to hear the views of his associates on these proposals.

2. ZONAL INVESTIGATION COMMITTEES

MR. MOLOTOV interrupted to state that following yesterday evening's discussion concerning the disbandment of the German armed forces he had received a telegram from Marshal Zhukov in the light of which the Soviet Delegation wished to withdraw the proposal to form a Joint Commission for investigation of this matter. The question of the German armed forces had been discussed in the Allied Control Council of December 20 at which time Field Marshal Montgomery had presented a plan for disbanding the German forces during Jan-

²¹ For the Soviet memorandum concerning American armed forces in China, see enclosure 1 to the minutes of the Informal Meeting, December 21, 2:30 p. m., p. 719.

²² For the United States proposals on atomic energy, see enclosure 3 to the minutes of the Third Formal Session, December 18, p. 663.

uary.²³ This matter had been satisfactorily settled in the Control Council. In view of this the Soviet Delegation did not wish to press for further discussion and proposed to give up the idea of sending a special commission to investigate the situation. He requested that note be made of his statement.

MR. BEVIN replied that yesterday evening's discussion had dealt not only with this concrete question but also with the general procedure of dealing with complaints which might arise regarding the situation in one zone or another. He had suggested that the Allied commanders should make arrangements to set up such commissions when complaints arose in order to avoid misunderstandings, especially in the press. Mr. Bevin thought it a good idea to appoint a Joint Commission to investigate any matters of this type. He wished to put this on the basis of a recommendation to the Allied Control Council, which would work out the details. In general, it would be a good thing for inter-relations if such matters were cleared up immediately in order to avoid differences.

MR. MOLOTOV stated that the Soviet Delegation would consider Mr. Bevin's proposal upon receiving it in writing.

MR. BEVIN stated that he would formulate what he understood had been agreed in the discussion yesterday evening. However, the question of forming a Joint Commission immediately to investigate the question of German armed forces would be dropped.

3. ATOMIC ENERGY

MR. MOLOTOV circulated a Soviet draft on the question of atomic energy (enclosure no. 1). He stated that the Soviet Delegation associated itself with the United States proposal regarding the establishment of the United Nations Commission on atomic energy. The Soviet Government also agreed that the five permanent members of the Security Council, together with Canada, should sponsor this proposal at the first session of the United Nations in January 1946. However, the Soviet Government suggested that a modification should be made in the proposals. The Soviet Government proposed that the Commission to be established should be subordinate to the Security Council. This would be in accordance with the United Nations Charter which assigned principal responsibility for the maintenance of world security upon the Security Council.

After a half hour recess, MR. BYRNES expressed his pleasure at Mr. Molotov's apparent cooperation in this matter and said that he believed the Delegations would be able to get together upon it. He wished to study the Soviet paper tonight and proposed that a meeting

²³ For a report on the 15th meeting of the Allied Control Council for Germany, see telegram 1316, December 21, from Berlin, vol. III, p. 859.

be held tomorrow to discuss it. This was agreed to by the other Delegates.

4. PREPARATION OF PEACE TREATIES

Proceeding to points outstanding with regard to the peace treaties question, MR. BEVIN inquired whether he was correct in assuming that the language of the last sentence in section 1 ("On the basis of decisions agreed at the first plenary conference of the Council of Foreign Ministers") was acceptable to all.²⁴

MR. BYRNES said that it was acceptable to him.

MR. MOLOTOV said that the Soviet Delegation assumed that the decisions of September 11 had no validity. This was agreed to.

MR. Molotov raised the question of the addition to paragraph 4 made at the initiative of Mr. Vyshinski at the Kremlin meeting this morning. Mr. Molotov suggested that the language agreed upon yesterday in the drafting committee be restored and that this morning's addition be deleted.

MR. BYRNES stated that in his view the sentence added this morning was a very wise one. Without that addition, there was no specification concerning the purpose for which the treaties were being sent to the governments involved.

MR. MOLOTOV stated that this should be left up to the governments themselves to decide. It went without saying that no pressure should be brought upon them. Their acceptance should be left to their own discretion.

MR. BYRNES proposed that the words "for adherence at their option" should be employed.

MR. BEVIN proposed that the words "to provide them an opportunity to adhere" after the words "enemy states in question" would be satisfactory.

MR. MOLOTOV said that the more "flexible" language accepted by the drafting committee last night would be better.

MR. BYRNES pointed out that the addition had been made by Mr. Vyshinski.

MR. BEVIN said that in his opinion Mr. Vyshinski had noticed a very important point this morning. Without the words "to provide an opportunity for them to adhere" the text looked very bad.

MR. MOLOTOV proposed to employ the words "for the purpose of informing them".

MR. BEVIN replied that if the peace treaties were sent merely for the information of the states which are at war with the enemy states in question, would they be expected on this basis to sign the treaties? If Mr. Bevin were to be questioned on this matter in the House of

²⁴ See the memorandum prepared by the Drafting Committee of the Moscow Conference of Foreign Ministers, December 21, p. 723.

Commons, was he to say: "For their information."? Mr. Vyshinski's addition represented the most decent procedure.

MR. BYRNES agreed with Mr. Bevin. If he were asked why these peace treaties were being sent, he would say that this was in order to give the countries an opportunity to sign. Then the question would arise as to why this was not stated in so many words. This would not constitute pressure. It would simply be better to tell the countries why the peace treaties were being sent to them. This was merely a courtesy.

MR. VYSHINSKY said that in suggesting this addition he had failed to take one circumstance into account. Having taken this circumstance into account, he wished to withdraw the addition. If the language which he had added were to be employed, this would in fact amount to an invitation to adhere. But was it necessary for the four powers to invite these other states to adhere? No, it was not necessary. If these states were to be invited to adhere, that should be stated clearly. That, however, went too far. But, as regards the right to adhere, that went without saying. As soon as the states in question had received the treaties they could take whatever action they saw fit. The morning addition appeared simple but in reality it only confused the issue. Therefore he wished to withdraw it. Nothing would be altered in substance since the right to each state to adhere or not to adhere would be preserved.

MR. BEVIN suggested that the matter might be settled by adopting an agreed covering letter to send along with the peace treaties.

MR. MOLOTOV stated that Mr. Vyshinski's remarks were correct. If the peace treaty text were sent to the other states for their adherence, this would create the impression that such adherence was a prior condition of the validity of the peace treaties. In reality, each government was free to make a statement in one form or another, expressing its approval or disapproval of the treaty.

MR. BEVIN stated that if he were asked in open Parliament concerning the form in which the peace treaties were being sent to the other United Nations, he would reply that they were being sent in order to provide the other United Nations an opportunity to sign.

MR. MOLOTOV said that it was obvious what answer Mr. Bevin should give. The answer would be that the government to which the peace treaty was being sent was free to adhere or make a statement as it sees fit. Different governments would react in different ways. Some might adhere, others might make a statement, and others react in still different ways. This was up to them. In Mr. Bevin's place, Mr. Molotov would reply to the question raised in Parliament by saying that this was a matter for the governments themselves to decide.

MR. BEVIN inquired whether they would be permitted to sign if they so decided.

MR. MOLOTOV said that they would, of course, be permitted to sign as far as he was concerned.

MR. BYRNES said that as he understood it, Mr. Vyshinski's position was that any United Nation at war with an enemy state had the right to adhere to the peace treaties. He, therefore, suggested that following the word "question" at the end of the first sentence in section 4, the phrase "reserving to other United Nations at war with the enemy states in question the right to adhere" be added. The second sentence should be deleted.

MR. MOLOTOV reiterated that the language agreed upon by the Drafting Committee yesterday should be accepted.

MR. BYRNES said that it had been previously agreed that the treaties would be sent for signature. Then Mr. Vyshinski had suggested that they be sent for adherence and the other Delegates had agreed to that.

MR. BEVIN stated that there was no reason to hide the intentions of the governments sending the treaties by not stating what they wished the states receiving them to do.

MR. MOLOTOV requested again that the language of the Drafting Committee be accepted without modification.

MR. COHEN pointed out that the language suggested by Mr. Byrnes embodied the very words proposed by Mr. Vyshinski.

MR. VYSHINSKI replied that this language went too far. Every state which had been at war had the right to adhere irrespective of whether this right was explicitly granted. It would be impossible, in fact, to grant a right which they already possess.

MR. COHEN proposed, then, to say "recognizing" the right rather than "reserving" the right.

MR. VYSHINSKI inquired how the right could fail to be recognized.

MR. COHEN stated that the language should express that to which everyone was agreed. There could be no objection to putting this into words.

MR. BEVIN stated that he was no lawyer but it seemed to him that not every state had the right to sign. For example, the United States did not have the right to sign a treaty between the Soviet and British Governments.

MR. MOLOTOV said that there was a difference between such a treaty and treaties of peace.

MR. BEVIN said that he would announce in the House of Commons that the peace treaties were being sent to the other governments so that they could exercise their right to adhere if they chose. That would be his public statement.

MR. VYSHINSKI reiterated his statement that all interested states had the right to adhere or not to adhere.

MR. BYRNES said that he would make a similar statement. He understood that each of the governments could announce the reason why the treaties were being sent.

MR. MOLOTOV said that each of the ministers could make any statement regarded as correct.

MR. BYRNES replied that he merely wished to have this understood so that no question would arise later. He suggested that the word "sent" should be eliminated in favor of the word "submitted". This would be in accordance with the Berlin Agreement. No objection was raised to this proposal.

MR. BEVIN inquired whether the Delegates were in agreement with the entire document on peace treaties.

MR. MOLOTOV and MR. BYRNES said that they were in agreement.

It was decided to discuss the question of the evacuation of Japanese troops from north China at tomorrow's session and that the question of atomic energy would be discussed in a meeting at the Kremlin at noon tomorrow.

The meeting was adjourned at 7:00 o'clock.

[Enclosure 1]

*Memorandum by the Soviet Delegation at the Moscow Conference
of Foreign Ministers*

Moscow, December 22, 1945.

ESTABLISHMENT OF A COMMISSION ON ATOMIC ENERGY BY THE UNITED
NATIONS

The Soviet Government has examined the United States proposals on atomic energy set forth in the memorandum of December 18, 1945.²⁵ The Soviet Government is agreed that there should be established under the United Nations Organization a Commission for the study of problems arising in connection with the discovery of atomic energy and other questions connected therewith, and for the preparation of recommendations to be submitted to the United Nations Organization, and is also agreed that the five permanent members of the Security Council, together with Canada, should assume the initiative of sponsoring a proposal to this effect at the first session of the United Nations in January 1946.

At the same time, the Soviet Government believes it necessary to introduce a change in the draft submitted by the Government of the

²⁵ See enclosure 3 to the minutes of the Third Formal Session, December 18, p. 663.

United States, with a view towards subordinating the Commission on atomic energy to be established by the United Nations Organization to the Security Council, upon which according to the United Nations Charter rests "the principal responsibility for the maintenance of international peace and security." In accordance with this the Soviet Delegation proposes to introduce the following amendments into the draft recommendations submitted by the American Delegation:

1. Section 1 "The Establishment of the Commission" to read as follows:

"The Commission should be established by the General Assembly to prepare recommendations regarding the use of atomic energy. The Commission shall be attached to the Security Council and work under its direction."

2. Section 2 "Reports of the Commission" shall read as follows:

"The Commission shall submit its recommendations and reports to the Security Council. In the appropriate cases provided for by the United Nations Charter, the Security Council shall transmit these reports to the General Assembly and the Members of the United Nations, as well as to the Economic and Social Council."

3. Section 4 "Rules of Procedure" shall be amplified by the following sentence:

"The rules of procedure established by the Commission shall be approved by the Security Council."

Moscow Embassy Files: 500 Conference of Foreign Ministers: Telegram

The Secretary of State to the Ambassador in France (Caffery) ²⁶

Moscow, December 22, 1945—6 p. m.

457. Please communicate immediately to (Paris use Bidault, Chungking use Wang) a note in the following sense:

Begin note

In our search for an acceptable formula whereunder work may be continued on the preparation of peace treaties with Italy, Rumania, Bulgaria, Hungary and Finland, the Foreign Secretaries of the Union of Soviet Socialist Republics, Great Britain, and the United States of America have reached the following understanding:

"Preparation of Peace Treaties with Italy, Rumania, Bulgaria, Hungary, and Finland.

"1. In the drawing up by the Council of Foreign Ministers of peace with Italy, Rumania, Bulgaria, Hungary, and Finland only members

²⁶ Repeated to Chungking as telegram 249.

of the Council who are, or under the terms of the Agreement establishing the Council of Foreign Ministers adopted at the Berlin Conference are deemed to be, signatory of the Surrender Terms, will participate, unless and until the Council takes further action under the agreement to invite other members of the Council to participate on questions directly concerning them. That is to say:

- (a) the terms of the peace treaty with Italy will be drafted by the Foreign Ministers of the United Kingdom, the United States, the Soviet Union and France;
- (b) the terms of the peace treaties with Rumania, Bulgaria, and Hungary by the Foreign Ministers of the Soviet Union, the United States and the United Kingdom;
- (c) the terms of the peace treaty with Finland by the Foreign Ministers of the Soviet Union and the United Kingdom.

The Deputies of the Foreign Ministers will immediately resume their work in London (on the basis of the decisions agreed at the first plenary conference of the Council of Foreign Ministers²⁷).

"2. When the preparation of all these drafts has been completed, the Council of Foreign Ministers will convoke a conference for the purpose of considering treaties of peace with Italy, Rumania, Bulgaria, Hungary, and Finland. The conference will consist of the five members of the Council of Foreign Ministers together with all members of the United Nations which actively waged war with substantial military force against European enemy states, namely: Union of Soviet Socialist Republics, United Kingdom, United States of America, China, France, Australia, Belgium, Belorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, Poland, Union of South Africa, Yugoslavia, Ukrainian Soviet Socialist Republic. The conference will be held in *blank* not later than May 1, 1946.

"3. After the conclusion of the deliberations of the conference and upon consideration of its recommendations the states signatory to the terms of armistice with Italy, Rumania, Bulgaria, Hungary, and Finland or regarded as such (France—for the purposes of peace treaty with Italy) will draw up final texts of peace treaties.

"4. The final texts of the respective peace treaties as so drawn up will be signed on behalf of the states represented at the conference which are at war with the enemy states in question. The texts of the respective peace treaties will then be sent²⁸ to the other United Nations which are at war with the enemy states in question.

"5. The peace treaties will come into force immediately after they have been ratified by the respective Allied states signatory to the respective armistices, France being regarded as such in the case of

²⁷ Telegram 458, December 23, 1 p. m., from Moscow to Paris, repeated as telegram 250, from Moscow to Chungking, reported that the parenthetical passage had been revised to read as follows: "On the basis of understandings reached on the questions discussed at the first plenary session of the Council of Foreign Ministers in London." (Moscow Embassy Files: 500 Conference of Foreign Ministers)

²⁸ Telegram 458 reported that the word "sent" had been changed to "submitted."

Italy. These treaties are subject to ratification by the enemy states in question."

In my capacity as chairman of the meeting at which agreement was reached on the above, I have been directed by my Soviet and British colleagues to express our earnest hope that France and China will wish to associate themselves with this formula and that the preparation of the draft treaties in question may immediately proceed. I should add that the words in the first parentheses above—"on the basis of the decisions agreed at the first plenary conference of the Council of Foreign Ministers"—have not yet been finally agreed upon.

It is the thought of my colleagues and myself that should the French Government desire to act as host it would be appropriate that the conference which is to be convoked not later than May 1, 1946, as set forth above be held in Paris.

When the (Paris use French, Chungking use Chinese) Government has had the opportunity to study the proposal contained herein, I should be most grateful for an early indication of its views and whether it will associate itself therewith.

End note

I wish you to make every endeavor to persuade the (Paris use French, Chungking use Chinese) Government of the desirability of promptly joining us in the foregoing as the best possible arrangement acceptable to all three Governments. For your own information, it is not the intention, however, of the three Governments to make adoption of this formula contingent upon French and Chinese acceptance.

Telegraph (Paris use French, Chungking use Chinese) reaction as soon as possible.

HARRIMAN

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, the Kremlin, Moscow, December 23, 1945, noon

Present : ²⁹

Secretary Byrnes
Mr. Cohen
Ambassador Harriman
Dr. Conant
Mr. Bohlen

Mr. Molotov
Mr. Vyshinski
Mr. Gusev
Mr. Pavlov

Mr. Bevin
Sir A. Cadogan
Sir A. Clark Kerr
Mr. Dixon
Mr. Rumboldt

Subjects: Atomic Energy
Kattegat Straits
North China

²⁹ According to the United Kingdom delegation minutes of this meeting, Ambassador Malik was also present with the Soviet delegation and Major General Jacob. Mr. Ward and Mr. McAfee were present with the United Kingdom delegation.

1. ATOMIC ENERGY

THE SECRETARY said that he had examined the Soviet amendments to the United States proposal regarding the Commission to consider atomic energy and had a number of suggestions to make.³⁰ He said they were prepared to accept the Soviet suggestion that the Commission report to the Security Council but suggested that the last sentence of the Soviet redraft of Article I be dropped. He said he felt that the Terms of Reference as set forth in Article V laid down the basis for the Commission's work and that it would be a mistake to place it under the direction of the Security Council. He further suggested that in paragraph 3 there be included reference to the fact that the rules of procedure of the Commission should be approved by the Security Council as a procedural matter. He also suggested in Article V the addition of a statement to the effect that the recommendations and reports of the Commission should be made public by the Security Council. He added further that the additional statement concerning the work of the Commission by staffs which he had submitted subsequent to the original proposal be included in the draft agreements. He explained that this statement was taken from the public declaration of the President, Prime Minister Attlee and Prime Minister King.

MR. MOLOTOV said that was a new suggestion and he would have to consider it. He continued that in his opinion the Soviet suggestion concerning direction by the Security Council should be left since the Council was charged with primary responsibility in matters affecting security which was the most important aspect of atomic energy.

THE SECRETARY repeated that we had recognized this in accepting the Soviet proposal that the Commission report to the Council rather than to the Assembly. He said he was afraid that if a Commission of 11 representatives were set up and made responsible to the Council composed of 11 representatives of the same states it would only impede the work of the Commission. Under the Soviet proposal misunderstandings might arise and it might be argued that the Commission could not proceed with its work except on the basis of positive directives from the Security Council.

MR. MOLOTOV said that any possibility of misunderstanding which might occur should be removed and it could be made clear that no special instructions would be required from the Council but merely that the Commission would work under its guidance. He read Article 24 of the Charter which placed the responsibility on the Council for matters relating to security and the maintenance of peace to illus-

³⁰ For the Soviet proposal regarding a commission on atomic energy, see enclosure 1 to the minutes of the Sixth Formal Session of the Conference, December 22, p. 740.

trate his point that it would not be understood why the Security Council had been by-passed in a matter so directly related to security.

MR. BEVIN pointed out that in addition to the security angle atomic energy affected industrial and economic questions and that this phase could not be ignored. To make the Commission solely responsible to the Security Council would create the impression that its work would deal only with the security aspects of atomic energy.

THE SECRETARY pointed out that in any event the Terms of Reference of the Commission limit its activities to the making of recommendations and reports which in deference to the Soviet wish would be submitted to the Council, which would then decide what use should be made of them.

MR. MOLOTOV repeated that the security aspect was the one that aroused the most interest and therefore should be dealt with on a clear-cut basis and it would be impossible to answer before the forthcoming Assembly meeting questions as to why the Security Council had been by-passed. He said the Soviet draft provides for the submission of reports of the Commission in appropriate cases to the General Assembly and to the Social and Economic Council and that Mr. Byrnes had suggested a provision for publication. Thus, the economic and industrial aspects of the question were fully taken care of. He said that we all shared a common desire to see that atomic energy was used only for peaceful and humanitarian aims. He said the intention of the United Nations Organization was focussed on this central problem; namely, that atomic energy should be used only for these purposes and not against security and peace. He added that the Soviet Delegation had accepted the United States proposal that the Commission should be set up by the General Assembly and he felt that this fully met any rights or privileges of the General Assembly. He said the fact that there were the same number of representatives on the Commission as on the Council would not in his opinion adversely affect its work, since this might be true of many subsidiary organs of the United Nations. On these subsidiary organs the representatives would be from the same countries as the principal organs of the organization. In all cases members should be selected on the basis of suitability.

THE SECRETARY explained that the difficulty arose from the words "work under the direction of the Security Council". He thought this was unnecessary in the case of the Commission which could not take any action but merely make recommendations and reports.

MR. BEVIN again emphasized the industrial and economic aspects of the problem of atomic energy and repeated that he feared that the public would consider that in turning the Commission over to the Security Council these aspects would be ignored. In England many

people felt that the Commission should be responsible only to the Assembly and as it was he might have difficulty in explaining his agreement to have it report to the Security Council. He said, however, that in a desire to reach an agreement would it not be possible to add in Section II or wherever appropriate the following phrase: "The Security Council is authorized in appropriate cases to send special instructions to the Commission on matters affecting security." He inquired whether this would satisfy the Soviet Delegation.

THE SECRETARY said he was prepared to accept Mr. Bevin's proposal.

MR. MOLOTOV said he would consider this proposal but that the Soviet Delegation felt that it should be clear to all that the Security Council was not being by-passed. He thought the best method was to place the Commission under the direction of the Council. He added that there was no question of any monopoly by the Security Council since provision was made in both drafts for the Council to submit the reports of the Commission to both the Assembly and to the Social and Economic Council. He said he referred to the provision of Section II. He said the main task of the Charter as stated in the first Article was the preservation of peace and that this responsibility was placed on the Security Council. He again repeated his opinion that in view of the language of the Charter it would be misunderstood if the Security Council were by-passed in regard to the work of the Commission. He said not only did the Charter place this responsibility explicitly on the Council but it was the primary duty and responsibility of the Council. He inquired whether all were in agreement that the Council was primarily responsible for security questions.

MR. BYRNES and MR. BEVIN agreed with this and pointed out that this responsibility was expressly recognized in Mr. Bevin's proposed amendment and that furthermore the Commission would report to the Council.

MR. MOLOTOV stated that it was not a matter of reports but who would direct the work of the Commission. He feared that unless this responsibility was conferred on the Security Council it would be difficult to answer questions at the forthcoming meeting. He said if all were agreed that the primary responsibility rested on the Council it would be easy to find a formula. If not, it was a different matter.

MR. BEVIN pointed out that his suggestion was made for the purpose of recognizing this responsibility.

THE SECRETARY pointed out that it might be difficult to get the General Assembly to accept the proposal for the establishment of a Commission which would be responsible only to the Security Council. Members of the Assembly might feel that their rights were being

ignored. He said that he would feel that the Soviet point had been fully met by Mr. Bevin's suggestion plus the agreement to have the Commission report to the Council.

There was a prolonged discussion during which MR. MOLOTOV repeated his main thesis that the Security Council was primarily responsible for security, that security was the chief factor in the atomic question and that therefore the Commission on Atomic Energy should work under the direction of the Council. It was finally agreed to postpone further consideration of the question until a subsequent meeting.

2. KATTEGAT STRAITS

MR. MOLOTOV asked if they could discuss the question of the straits covering the approaches to the Baltic Sea.

THE SECRETARY replied that he had no information on this subject nor did he have any record with him of President Roosevelt's discussion with Marshal Stalin on this point.^{30a}

MR. MOLOTOV said the important point was who controlled the passage of ships through these straits and he asked Mr. Bevin if he had any information to convey to him on this subject.

MR. BEVIN replied that the only information they had was to the effect that Great Britain was now engaged in mine-sweeping operations in these straits in conformity with an agreed plan to which the Soviet Government was a party. He said that except for these trawlers there were no British naval vessels in these waters and that there was no direct British naval control nor indirect control through the Danish authorities in regard to these straits. The position remains as it was before the war; namely, that the riparian states control it but that in a practical sense there was no control over the movement of ships through these straits.

MR. MOLOTOV replied that the war had shown that the question was more complicated than mere control by the riparian states.

MR. BEVIN said he could not discuss this question at this meeting as he had not expected it to be brought up.

3. NORTH CHINA

MR. MOLOTOV asked the Secretary if he had anything further to say on north China in the light of the Soviet memorandum of December 21.³¹

THE SECRETARY said that he had discussed this question three times with Mr. Molotov and he had submitted a paper on the subject and

^{30a} See footnote 96, p. 718.

³¹ For the Soviet memorandum regarding American armed forces in China, see enclosure 1 to the minutes of the Informal Meeting of December 21, 2:30 p.m., p. 719.

also sent Mr. Molotov a copy of the President's statement. He felt he had nothing to add. He did note, however, that the Soviet memorandum to which Mr. Molotov referred revealed that his statements both in writing and orally had not cleared up Soviet misunderstandings. For example, it was stated in the Soviet memorandum that American troops would remain in China in order to restore stability in that country. This was not true since the American troops would be removed as soon as the problem of the disarming of the Japanese had been settled. He had explained in great detail why this was a complicated question and might take some time, but the United States felt that it was its duty to carry out this task and to help Chiang effect a surrender of these Japanese forces. He pointed out that the Japanese surrender had placed the responsibility upon the Soviet Union for the surrender of Japanese troops in Manchuria and on the Chinese Government for those in north China. Chiang Kai-shek had asked for patience and more time in order to carry out his responsibility and the United States Government was prepared to be patient with a friendly and Allied government. He said that in the last analysis if the Chinese Government was unable to do this it would then devolve upon the United States to do it with their own forces. He had also explained to Mr. Molotov the difficulty in regard to shipping and the efforts we were making to expedite the evacuation of the Japanese. He said the United States was doing all it could and he had explained everything in detail to Mr. Molotov.

MR. MOLOTOV said that they were interested in a fixed date for simultaneous evacuation of both Soviet and United States forces from China.

THE SECRETARY stated that he could not agree on a fixed date since it was not at all certain how much time would be required to complete the task of disarming the Japanese. He pointed out that the Soviet Union had admittedly on China's request already postponed twice the date of the evacuation of Soviet forces from Manchuria. He did not wish on behalf of the United States to fix a date and then subsequently have to change it. He said that if the date were fixed in the middle of January as the Soviet Delegation proposed it would mean that our troops would leave China while there were still over 200,000 armed Japanese in the area. This should be clear to Mr. Molotov since he had explained that we could only move 3,000 Japanese a day. He said that when Mr. Molotov had explained to him the reasons why Soviet forces were still remaining in Manchuria he had accepted these explanations in full faith and he must request Mr. Molotov to accept in like manner the explanations of the United States.

MR. MOLOTOV said that he was asking merely for a time limit on the disarming of the Japanese and not for their evacuation to Japan.

That admittedly would take a longer time. He said that forces of both countries were there by Chinese request but that what he was interested in was an agreement for simultaneous withdrawal within a fixed period. He said they wished to get their troops back as soon as possible and not leave them unnecessarily in Manchuria.

THE SECRETARY replied that if the Soviet Union were remaining in Manchuria to disarm the Japanese there would be no question of the necessity of their remaining there until this was completed, but it was a different matter when they were remaining there solely by request of the Chinese. He repeated that we did not desire to interfere in Chinese affairs and for that reason our Marines had not gone into the interior, which would have involved them in the fighting between the two Chinese factions. He repeated that the United States could not reject the request of its friend to be granted more time in order to arrange for the disarming of these Japanese troops by the forces of the Central Government.

MR. MOLOTOV asserted that the Japanese were not resisting disarming and that the Soviet Government felt that the disarming of these Japanese forces could not be delayed. The question of evacuation was a definite question which would obviously take longer. He said their information was that there were 500,000 Japanese troops in north China.

MR. MOLOTOV pointed out that the presence of American forces in north China was a new development and one which had not been contemplated when the Soviet Government signed its agreement with China.

THE SECRETARY replied that he did not see what the presence of the United States troops in China had to do with the Soviet-Chinese agreement.

MR. MOLOTOV again suggested that they agree on a date for simultaneous withdrawal, if not the middle of January, then some later date. He said that he felt that the task of disarming the Japanese was [not?] as complicated as the Chinese claimed.

THE SECRETARY said that he believed that Mr. Molotov was asking these questions merely because he liked the sound of his (Mr. Byrnes') voice.

MR. MOLOTOV replied that he found Mr. Byrnes' voice very pleasant but even more pleasant would be an agreement for the simultaneous withdrawal of troops.

THE SECRETARY said that he had explained in great detail and at length the position of the United States Government. He said that we were supporting the Central Government and so was the Soviet Union and it would, therefore, not be in accordance with our common policy to do anything which would place the Central Government in

a more difficult position. He said that it was our desire to see a unified China and he hoped that the Soviet Government would cooperate in the furtherance of that aim.

Mr. Molotov replied that the aim of the Soviet Union was identical with that of the United States Government on this question.

740.00119 Council/12-2645

Memorandum of Conversation, by the United States Delegation at the Moscow Conference of Foreign Ministers ³²

Moscow, December 23, 1945.

Present:	Generalissimo Stalin	Secretary Byrnes
	Mr. Molotov	Ambassador Harriman
	Mr. Pavlov	Mr. Bohlen

Subjects: 1. Iran
2. The Balkans
3. Hungary
4. Atomic Energy
5. North China

After an exchange of amenities THE SECRETARY accepted with pleasure the Generalissimo's invitation to dinner December 24.³³

THE SECRETARY said he had wished to talk again with the Generalissimo before his departure. He observed that it would be a very good Christmas present for the world if it were possible to announce agreement on the various points under discussion by the meeting of Foreign Ministers.

1. IRAN

THE SECRETARY said he wished to talk primarily about Iran. He was seriously disturbed that this question would be raised at the General Assembly of the World Organization in January. He had no information that it would be raised, but he thought that unless some measures could be taken they would be confronted with it at the General Assembly.

STALIN remarked that they were not afraid of its being raised at the General Assembly.

THE SECRETARY continued that our connection with this matter arose from the Declaration of Iran signed by the three heads of Government at the Tehran Conference in the first paragraph of which ap-

³² Meeting held at the Kremlin, December 23, 1945, 5 p. m.

³³ No official record of the substance of the discussion at Stalin's Christmas Eve dinner for the Secretary of State and Mr. Bevin has been found. The dinner is briefly described in Byrnes, *Speaking Frankly*, pp. 117-118, and Byrnes, *All in One Lifetime*, pp. 336-337.

preciation was expressed for the cooperation of Iran in the war and particularly in the matter of supplies to the Soviet Union. The second paragraph bound the three Governments to respect the territorial integrity and independence of this small state. He said in view of this Declaration it would be difficult to take the position that Iran was hostile to the Soviet Union. He said the United States was sincerely desirous of avoiding this embarrassing position since it did not wish to take sides because of its close alliance with the Soviet Union during the war and now during the peace. He said that he understood Mr. Bevin had made some informal suggestions concerning joint action by the three powers in this matter, and he would like to know the Generalissimo's opinion in regard to these.

STALIN replied that Mr. Bevin had presumably had in mind the conflict in Persian Azerbaijan and had pointed out that the Persian Constitution provided for the establishment of provincial councils in the various provinces. MR. BEVIN said it was his personal opinion and he had not consulted his Government. Mr. Bevin said the Persian Government had not carried out these provisions of the Constitution and inquired what would be the Generalissimo's attitude if he put forward certain proposals.

THE GENERALISSIMO had said he was prepared to discuss it. He wished to assure Mr. Byrnes that in any agreement or discussion the United States would be brought in and that there would be no separate agreement with Great Britain without United States participation. The Generalissimo said in regard to the Declaration of Iran, the three Governments had agreed to respect the territorial integrity etc. of Iran and that was their obligation and not the obligation of Iran. This pledge still held good and would always hold good. There was no intention on the part of the Soviet Union to violate this pledge since that was not their practice and they would not tolerate any such views in the Soviet Government. In so far as the expressions of appreciation for Iran's efforts, that had applied to the existing Government. Since then much water had flowed under the bridge. The present Iranian Government and the one before it had become hostile to the Soviet Union. He said the disadvantage in the Declaration had been that it contained no reference to the obligations of Persia to the three Allied Governments. The present Persian Government had taken advantage of this and had adopted a hostile attitude towards the Soviet Union. The Persian Government was now looking for people who could act against the Soviet Union. As to the pledge to assist Iran, this had been carried out and in 1943 the Soviet Government, not without difficulty to itself, had sent 25,000 tons of grain to Iran when famine threatened there. He said the Soviet Government continued to assist whenever possible. He concluded by stating that

no one had any need to blush if this question was raised in the Assembly. All that was needed was that the Iranian Government should carry out its obligations and cease to be hostile to the Soviet Union.

THE SECRETARY replied that he had felt it wise to raise this question again because in the press of the United States much had been written about the presence of foreign troops in Iran, and in order that there would be no grounds for suspicion of the United States, we had decided to remove the last remaining United States forces from Iran. These troops were not combat but service troops and even so would all be gone within one week.

STALIN replied that the Soviet Government had never asked the United States to remove its troops. They had no objection to their remaining or being withdrawn whichever the United States preferred.

THE SECRETARY said he realized the difference in the positions between the United States and the Soviet Union. He said he had not seen Mr. Bevin's proposals but believed that they related to some form of investigation by the three Governments in regard to the complaint of Iran. He concluded by saying that the desire of the United States was to avoid any embarrassing situation at the forthcoming General Assembly meeting.

STALIN said that they had not received any specific proposals in writing yet from Mr. Bevin.

2. THE BALKANS

[3. HUNGARY]

THE SECRETARY said he would then like to discuss the Balkan situation. He said he had had a difficult time with Mr. Molotov on this subject.

STALIN said with a smile that this was unexpected news.

THE SECRETARY continued that this question had been pending for some time and that in his opinion it was terribly important to settle this matter and to proceed with the peace treaties with these countries and be in a position to render them essential economic assistance. He said he would not bother the Generalissimo with details but he merely wished to state that in the hope of finding a solution he had sent an outstanding American liberal known to be friendly to the Soviet Union to investigate the situation on the spot. He said he had told Mr. Ethridge to disregard all previous opinions on the subject and to make an impartial report. He asked the Generalissimo to believe him when he said that if Mr. Ethridge had indicated any grounds for recognizing the Governments of Rumania and Bulgaria, he would have immediately done so. He said he had held up the report because he wished to show it first to Mr. Molotov but had promised the Ameri-

can public and the press to publish the report at some time. This he would have to do unless some solution could be found here.

STALIN replied that if he felt it necessary to publish the Ethridge report that he would ask Mr. Ehrenburg,³⁴ who was also an impartial man and had visited these countries, to publish his views.

THE SECRETARY said that this would be unfortunate since the two reports would tend to separate rather than unite our countries on this question. He said in the case of Finland, Hungary, Austria, and added Yugoslavia, we had found it possible to agree on recognition and that only Rumania and Bulgaria remained. He said our whole position stems from the Yalta Declaration which provided for joint efforts to establish temporary governments broadly representative of the people. He said all our information indicated that the genuine representatives of the leading parties were not included in the Government and he asked in view of the greater Soviet interest in this matter that the Generalissimo suggest some plan in order to give representation to these parties. If this could be done and arrangements for holding free elections could be made, we would be able to proceed to the recognition of these Governments. He said we had no intention of suggesting any members of these parties who were hostile to the Soviet Union, but that surely it would be possible to find persons who were both representative of these parties and at the same time friendly to the Soviet Union. He appealed to the Generalissimo for his help in this matter.

STALIN said that given a mutual desire to settle this matter some means could be found to do so. He said he wished to speak of certain accusations which he admitted Mr. Byrnes had not made but which had appeared in British and American newspapers, namely, that Soviet troops in the Balkans were exercising pressure on elections in those countries. He said this was not so, and, for example, in Hungary there were Soviet troops and in actual fact the Soviet Union could do pretty much what it wanted there, but that nevertheless the elections had resulted in a victory for a party other than the Communist party. This demonstrates that the Soviet Government was exercising no pressure through its troops in these countries. Such action would be regarded as unworthy of the Soviet Union and as interference in internal affairs. He said all the Soviet Union asks of these border states or states in proximity to the Soviet Union was that they should not be hostile. What parties should run these countries was a matter for the people themselves to decide. In the view of the Soviet Government other parties besides the Communist party could be friendly. He said this was a natural desire on the part of

³⁴ Ilya Grigorevich Ehrenburg, Soviet publicist.

the Soviet Union since they had suffered much during the war from Finland, Hungary, and Rumania. Hungarian troops had reached the Don River and Rumanian troops the Volga. That is why the Soviet Government was interested in seeing friendly, loyal governments in these countries. Bulgaria although not actually a border state, during two wars had been a hotbed of German influence against Russia and the democratic countries. He said that at the end of the last war in the Treaty of Brest-Litovsk³⁵ the German delegation had contained Bulgarian and Turkish representatives. In this war Bulgaria had not actually fought but had only been restrained by fear of her own people. Bulgaria, however, had afforded no less assistance than Rumania by affording bases for German submarines, naval vessels, and airplanes. All the Soviet Union asked was that the Government of Bulgaria should be loyal in its relation to the USSR.

Stalin said such were the basic facts and now what in a practical sense could be done about the situation. In Bulgaria elections had been held and overwhelming mass of the people had supported these elections. It was, therefore, difficult to exercise any pressure looking towards a reorganization of the Bulgarian Government. He continued that the Yalta Declaration did not provide that all parties should be represented in any given government but merely that they should have full freedom to participate in the election. He said in Bulgaria the opposition parties had chosen of their own will to boycott the election and, therefore, could not be regarded as a loyal opposition. In the United States when Dewey³⁶ had lost the election he had pledged the loyalty of his party to President Roosevelt during the war. The opposition in Bulgaria had abused its privilege. Members of a loyal opposition might be included in the Government, but how could disloyal elements be included? He said he hesitated to take any steps to interfere with the decisions of the Bulgarian parliament. The Soviet Union was already being accused of interference. Stalin said that perhaps the Bulgarian parliament could be advised to include some members of the loyal opposition in the new Government, that there could be no question of the reorganization of the Government, since the people in the elections had shown their confidence in the parliament; nor could there be any question of pressure but merely of advice. He said he thought that some move in this direction might satisfy Mr. Byrnes.

In the case of Rumania Stalin said that since no elections had been held, it might be possible to make some changes in the Government

³⁵ Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand and Russia on the other, signed March 3, 1918. For translation of text, see *Foreign Relations*, 1918, Russia, vol. I, p. 442.

³⁶ Thomas E. Dewey, Republican candidate for President in 1944.

there which would satisfy Mr. Byrnes and Mr. Bevin. He said Mr. Molotov had suggested that one or two non-party ministers be added. He said that in a pinch it might be possible to suggest to the Rumanian Government that two statesmen representing the National Peasant party and the Liberal party be included in the Government. He added, however, that they should not be Maniu³⁷ or Bratianu or Lupu³⁸ in any case but they should be loyal persons. Stalin pointed out that his suggestion in fact repeated what Mr. Byrnes had suggested. In so far as the Ministry of Interior was concerned he did not believe it would be possible to put in a non-party Minister or a commission. He said ministers were selected by agreement among the parties. For example, in Hungary the Minister of Interior had been Communist, but after the elections he had been replaced by a member of the Small Landholders party.³⁹ The same had happened in Austria.⁴⁰ Stalin concluded that on this point he felt that it was impossible to stick a boot in the face of the Rumanians. In any event, there were Vice-Ministers of Interior in Rumania who were not Communists.⁴¹

THE SECRETARY said that he hoped the Generalissimo would understand that the United States did not wish to encourage the selection of persons hostile to the Soviet Union, but that he felt that the Generalissimo's suggestion offered a means of giving representation to the parties not now adequately represented in the Government. He inquired how the Generalissimo thought his suggestion might be put into effect.

STALIN said that they could call Rumanian representatives here or send someone there or consult by telegram.

THE SECRETARY said it would also be a good idea to have the enlarged Government make a statement concerning civil liberties and free elections.

STALIN replied that this had already been done.

After some discussion Stalin agreed that a commission composed of Mr. Vishinsky, Ambassador Harriman, and a British representa-

³⁷ Iuliu Maniu, President, Rumanian National Peasant Party.

³⁸ Niculae Lupu, leader in the Rumanian National Peasant Party.

³⁹ From December 1944 to November 1945 the Hungarian Minister of Interior was Ferenc Erdei, a leader of the Communist-oriented Peasant Party. In the new Hungarian government formed by Premier Zoltan Tildy following the November 4, 1945, national election, Imre Nagy, member of the Hungarian Communist Party, became the Minister of Interior. See telegram 916, November 15, from Budapest, vol. iv, p. 906.

⁴⁰ In December 1945, following the Austrian national election, a new Austrian government under Chancellor Leopold Figl was formed, with Austrian Socialist Party leader Oskar Helmer succeeding Communist Franz Honner as Minister of Interior.

⁴¹ Gen. Virgil Stanesco, an independent, I. Burca, a Rumanian Social Democrat, and G. Vantu, a Liberal, served as Under Secretaries of State in the Rumanian Ministry of Interior under Premier Petru Groza.

tive, possibly Sir Archibald Clark Kerr, be sent to Rumania to work out the details of the inclusion of the two additional Ministers.

THE SECRETARY suggested in regard to Bulgaria that the Soviet Government might helpfully give the advice which the Generalissimo had suggested.

STALIN promised to do this.

Stalin requested the Secretary to discuss these proposals regarding Bulgaria and Rumania with Mr. Bevin.

THE SECRETARY agreed and jokingly said that although they were supposed to have a bloc with England, he had even neglected to inform Mr. Bevin soon enough about the proposed meeting in Moscow.

STALIN replied that this was obviously only a cloak to hide the reality of the bloc.

4. ATOMIC ENERGY

THE SECRETARY said that he felt that they were near agreement on the atomic energy question, but that he had had long discussions with Mr. Molotov concerning procedure.

STALIN said that the Soviet Government had accepted nine-tenths of the American proposal and had only proposed one-tenth for their side. He inquired what was wrong in putting the proposed commission under the Security Council.

THE SECRETARY said that we had accepted the Soviet proposal that the commission report to the Security Council instead of to the Assembly. The difficulty was that there were other questions besides security involved in which the Assembly would have primary interest. He went on to say that as a matter of fact the commission really needed no direction since the Terms of Reference set forth clearly what it could do and what it could not do.

After some discussion it was agreed that there was little difference in substance between our positions and that The Secretary and Mr. Molotov could work out the drafting difficulties.

5. NORTH CHINA

The SECRETARY said he had talked at considerable length with Mr. Molotov concerning our troops in North China, but he felt that it was still not clear to the Soviet Government.

STALIN inquired why the United States did not wish to remove their troops from North China.

THE SECRETARY replied that on the contrary, we would like to have them leave tomorrow if possible but that for the reasons he had explained to Mr. Molotov we had certain obligations and there were also certain circumstances which made that difficult.

STALIN replied that the Soviet Government would have no objection if the United States wished to leave its troops, but they would merely like to be told about it.

THE SECRETARY said he recalled at Potsdam the Generalissimo had expressed his opinion to the press and to himself that Chiang Kai Shek's was the only possible Government in China, that the Communists were not real Communist, and that the United States had been supporting Chiang Kai Shek in accordance with what he understood was the agreed policy of both countries.

STALIN said that they had a treaty to that effect with Chiang Kai Shek's Government.

THE SECRETARY explained the situation in North China and the difficulties caused by the weakness of the National Government forces and the presence of large numbers of armed Communists surrounding the area where the still armed Japanese forces remained. He explained that General Marshall was going to attempt to arrange a truce between these forces in order to permit the prompt disarming of the Japanese forces in that area. He assured the Generalissimo that the United States had no desire whatsoever to interfere in the Chinese internal struggle but that we did not wish to do anything which would worsen the situation of the Central Government which we had all agreed to support.

STALIN said that if the Chinese people became convinced that Chiang Kai Shek was depending on foreign troops, he would lose his influence. Chiang Kai Shek apparently does not understand this, but the three Governments should understand it for him. It would be much better for Chiang Kai Shek to rely on his own forces, but if we desired to help Chiang Kai Shek we should not give him help in such a manner as to destroy his authority with the Chinese people.

THE SECRETARY explained that although General Marshall was prepared to make ships and even planes available in the event of necessity to have United States forces disarm the Japanese, he was not going to tell Chiang Kai Shek of these preparations since it would make him less desirous of reaching an understanding with the Communists.

STALIN said he thought that the size of the Communist forces had been greatly exaggerated by the Chinese Government. He said all Chinese were boastful and tended to exaggerate both the size of their own forces and those of their opponents. He inquired where the army of a million and a half was which Chiang Kai Shek was supposed to have.

THE SECRETARY said we would like to know also, but according to our reports there were only 50,000 Nationalist troops in the North China area. He outlined the position of these troops in relation to

the Japanese forces and the Communist forces along the railroads in North China.⁴²

STALIN said that in his view 50,000 troops were sufficient to disarm the Japanese. For example, 25 Soviet aviators had taken the surrender of two Japanese army corps in Mukden. He inquired as to the size of the Communist forces in the Tientsin area.

THE SECRETARY replied that Mao⁴³ claimed to have 600,000.

STALIN laughed heartily and repeated his assertion that all Chinese were boasters.

In conclusion The Generalissimo expressed the greatest confidence that if any man could settle the situation it would be General Marshall whom he regarded as one of the few military men who was both statesman as well as soldier.

871.01/12-2345

The British Secretary of State for Foreign Affairs (Bevin) to the Secretary of State

Moscow, December 23, 1945.

DEAR JAMES: After listening to the discussions of the last few days on the subject of the Balkan States, which is of so great importance to all of us, I have come to the conclusion that there is possibility of agreement between our three Delegations.

I enclose the draft of a memorandum embodying my ideas, on which I hope we may agree. I trust that you will find this acceptable, and that on this basis we can reach agreement in one Conference.

I am sending a similiar letter to M. Molotov.

Yours sincerely

ERNEST BEVIN

[Enclosure]

Draft Memorandum by the British Secretary of State for Foreign Affairs (Bevin)

[Moscow, December 23, 1945.]

RUMANIA AND BULGARIA

The three Governments should agree on a reply to King Michael's letter of August 21st 1945.⁴⁴ Our reply should state that the three

⁴² According to the account in Byrnes, *All in One Lifetime*, p. 335, the Secretary of State indicated the relative locations of Japanese and American troops in North China with matches.

⁴³ Mao Tse-tung, Chairman of the Central Executive Committee of the Chinese Communist Party.

⁴⁴ For the text of King Michael's letter of August 21, see telegram M-1454, August 21, from Bucharest, vol. v, p. 574.

Governments are prepared to give the King the advice for which he has asked, with a view to the formation of a Roumanian Government which might be recognised by all three Powers. The advice should be to the effect that the present Government should be reorganised with a view to the inclusion of representatives of parties not now in the Government and of two or three non-party personalities. The Government thus reorganised should be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties should have the right to take part and to put forward candidates. Appropriate steps should be taken to secure that the control of the electoral machinery is not in the hands of any one party. The reorganised Government should give assurances concerned [*concerning*] the grant of freedom of press, speech, religion and association and concerning the activities of the political police and militia.

As regards Bulgaria, the three Governments should recommend that the reorganisation of the Government which is due to take place as a result of the elections should lead to the admission into the Government of representatives of the opposition Agrarian Party (Petkoff ⁴⁵ and his group). The reorganised Government should be asked to give assurances similar to those requested from the Roumanian Government.

Detailed arrangements in regard to the reorganisation of the Governments should be worked out locally, preferably through the respective Control Commissions, working with the political representatives of the three Powers.

As soon as the reorganisation is complete and the required assurances have been received, the Governments of Roumania and Bulgaria should be recognised by His Majesty's Government and the United States Government.

Moscow Embassy Files : 500 Conference of Foreign Ministers : Telegram

*The Chargé in China (Robertson) to the Secretary of State,
at Moscow*

CHUNGKING, December 23, 1945—10 p. m.

16. Re Embtel 14, Dec. 22, 8 p.m.⁴⁶ Wang, Foreign Minister, returned from Nanking late this afternoon. In conference this evening I conveyed contents your 245 and 246 December 20 and 249 December 22.⁴⁷ Wang expressed complete accord with formula agreed upon in Moscow.

⁴⁵ Nikolai Petkov, Bulgarian Agrarian Party leader.

⁴⁶ See footnote 7, p. 727.

⁴⁷ See footnotes 73, 77, and 26, pp. 706, and 741.

For your confidential information Wang stated that following his return from London conference he sent personal message to Molotov and Generalissimo sent personal message to Stalin, both urging Russia's acceptance of compromise proposal submitted by you in final days of London meeting as a fair solution of problem.

Wang expressed admiration and pleasure at this successful outcome of your efforts.

ROBERTSON

740.00119 Council/12-2445 : Telegram

*The Ambassador in the Soviet Union (Harriman) to the Acting Secretary of State*⁴⁸

Moscow, December 24, 1945—3 p. m.
[Received December 24—8:59 a. m.]

4265. Delsec 25. From the Secretary for the President. We have reached complete agreement as to the peace conference and resumption of the work on peace treaties with Italy and enemy Balkan States. China has concurred. We have not definitely heard attitude of France but I hope to talk with Bidault this afternoon and secure the agreement of France.

In my first conversation with Stalin on the peace conference he supported Molotov's position but later Stalin telephoned making concessions which made possible our agreement. As a result of a long conference with Stalin yesterday afternoon, I now hope that we can make forward step towards settling the Rumanian-Bulgarian problems. We also discussed the Chinese situation, Iran and atomic energy. As a result of our conversation, I hope that we will this afternoon be able to reach some agreement on these issues. Yesterday Molotov held out for complete subordination of the Atomic Energy Commission to the Security Council, making it a subordinate agency of the Council and objected to any reference to a plan being developed by stages. We are in general accord as to Far Eastern issues. The situation is encouraging and I hope that today we can reach final agreement on the questions outstanding and wind up our work tomorrow. [Byrnes.]

HARRIMAN

⁴⁸ Marginal notation on file copy indicates that this telegram was sent to the White House on December 24.

851.515/12-2445 : Telegram

*The Ambassador in France (Caffery) to the Secretary of State*⁴⁹

PARIS, December 24, 1945—3 p. m.
 [Received December 26—3:15 p. m.]

7332. For the Secretary. Referring to my Sigtot message to you last evening December 23,⁵⁰ I saw Bidault this morning who says that a tempestuous Cabinet meeting lasted until late last night about franc devaluation. He gave the note (Moscow's 457 to Paris) after the meeting to de Gaulle who said that he would take it with him and study it. At the same time de Gaulle recited again the well-known grievances about France not participating in the Balkans' treaty-making, et cetera. He said that he would let Bidault have his reply at an early date but I assume the note must be presented to the Cabinet.

Bidault believes that de Gaulle will give vent to some recriminations but that in the end he will "go along" with us.⁵¹

CAFFERY

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, Moscow, Spiridonovka, December 24, 1945, 3:15 p. m.

Present: ⁵²

The Secretary
 Mr. Harriman
 Mr. Bohlen
 Mr. Cohen

Mr. Bevin
 Sir A. Clark Kerr
 Sir A. Cadogan

Mr. Molotov
 Mr. Vishinsky
 Mr. Gusev
 Mr. Malich
 Mr. Pavlov

Subject[s]: 1. Atomic Energy
 2. Rumania and Bulgaria
 3. Iran

⁴⁹ This telegram, which was received at the War Department in the course of a teletype conference between the Embassy in Paris and the Embassy in Moscow relayed through the War Department in Washington, was transmitted to the Secretary of State in Moscow at 11:45 a. m., December 24.

⁵⁰ Apparently reference is to unnumbered telegram from Paris to Moscow, December 23, afternoon, which reported that the Secretary's message contained in telegram 457, from Moscow to Paris, p. 741, had been delivered to Foreign Minister Bidault, who promised to recommend its acceptance to Premier de Gaulle but could not answer for de Gaulle's response (Moscow Embassy Files: 500 Conference of Foreign Ministers).

⁵¹ In the course of the teletype conference between the Embassy in Paris and the Embassy in Moscow, Ambassador Caffery reported to Moscow on Foreign Minister Bidault's subsequent meeting with Premier de Gaulle. De Gaulle's reaction to the Moscow Conference of Foreign Ministers' proposal was not unfavorable, but final French approval had to be made by the French Cabinet which could not be convened until after Christmas (Moscow Embassy Files: 500 Conference of Foreign Ministers).

⁵² According to the United Kingdom delegation minutes of this meeting, the following additional persons participated: For the United States—James B. Conant; for the United Kingdom—P. J. Dixon and W. McAfee.

4. Austria
5. Japanese Fleet
6. Japanese Islands
7. German Assets in Austria
8. Peace Treaties
9. Rumania and Bulgaria
10. Atomic Energy

1. ATOMIC ENERGY

MR. BYRNES opened the meeting and proposed to resume discussion on points outstanding with regard to the atomic energy proposals. Mr. Bevin had agreed to circulate a draft embodying the two amendments which were still pending.

MR. MOLOTOV stated that he had not yet seen this draft. However, he had certain proposals with regard to Section II. In the draft which Mr. Byrnes had submitted yesterday,⁵³ Section II consisted of two paragraphs. Mr. Molotov proposed that the words "with the consent of the Security Council" be inserted in paragraph (a) after the words "made public" at the end of the first sentence. With regard to paragraph (b), Mr. Molotov proposed to add that the Atomic Energy Commission should be accountable to the Security Council for its work.

MR. MOLOTOV also stated that he was not sure that the next to last paragraph in the draft, beginning "The work of the Commission should proceed by separate stages," was necessary. The Commission would, of course, establish its own rules of procedure since this was left to its discretion under Section IV.

MR. BEVIN suggested that in adopting their procedure the Commission and Security Council should make a reference to point 8 of the Washington Declaration. He stated that Canada was particularly interested in this.

MR. MOLOTOV said that this would not be "convenient". The Washington Declaration had been made with participation of the United States, Britain and Canada. The Soviet Government had not been a party to this Declaration. Accordingly, it would be better not to refer to a matter in which not all the Governments concerned had participated. However, the Washington Declaration remained binding upon those who were parties to it.

MR. BEVIN replied that it seemed expedient to refer to this point in the draft although not necessarily mentioning the Washington

⁵³ According to the United Kingdom delegation minutes of this meeting, Molotov referred to the American draft *originally* submitted by the Secretary of State at the Third Formal Session of the Conference on December 18 and included as enclosure 3 to the United States delegation minutes of that meeting, p. 663.

Declaration. Mr. Bevin desired to include the principle involved, which would serve as a directive for the work of the Commission.

MR. MOLOTOV said that this proposal could be referred to the Commission itself.

MR. BYRNES asked Mr. Molotov to agree to the inclusion of this point since it had been agreed to by the President and two Prime Ministers. For his part he would agree to Mr. Molotov's amendment to Section II (b) reading, "in such matters the Commission will be accountable to the Security Council," and also to Mr. Molotov's suggestion in regard to the next to last paragraph under Section V.

With regard to Mr. Molotov's proposal concerning the addition of the words "with consent of the Security Council," in Section II (a) at the end of sentence one, Mr. Byrnes inquired whether it would be acceptable to employ the following language: "shall be made public unless the Security Council in the interest of peace and security otherwise directs." In this event, the Commission would be entitled to take the initiative in issuing minor reports in which the Security Council would not be interested. However, the Commission could not issue a report if the Security Council did not desire. This gave the Security Council full control as regards peace and security.

MR. BEVIN said that he was disturbed by the veto aspect of this matter, with reference to publication.

MR. COHEN explained that in accordance with the language proposed by Mr. Byrnes, reports and recommendations of the Commission could be made public unless the Security Council by affirmative vote decided otherwise.

MR. BEVIN stated that he now understood and was in agreement.

MR. BYRNES inquired whether Mr. Molotov would accept this proposal, pointing out that he was willing to accept the language proposed by Mr. Molotov in (b).

MR. MOLOTOV said he would have to think it over. It seemed possible to reach agreement on this matter.

2. RUMANIA AND BULGARIA

MR. BYRNES proceeded to the proposals regarding Rumania and Bulgaria. After his conversation with Mr. Molotov yesterday afternoon, he had told Mr. Bevin this morning of the agreement regarding this subject reached in that conversation. He had written out what in his opinion was the agreement arrived at yesterday. Mr. Bevin had said that this was satisfactory to him. Mr. Byrnes circulated two papers embodying the agreement as he had formulated it (Enclosures 1 and 2).

MR. MOLOTOV requested time for translation of Mr. Byrnes' papers which he had received just before the present session began. He ob-

served that the proposals apparently stood in need of some amendments.

3. IRAN

MR. BYRNES proceeded to the question of Iran.

MR. BEVIN stated that he had promised Generalissimo Stalin to study this question. He wished his colleagues to consider a settlement which he had formulated. Mr. Bevin circulated a paper on this subject (Enclosure 3).

4. AUSTRIA

MR. MOLOTOV inquired whether the other delegates had examined his paper on Austria.⁵⁴

MR. BEVIN said that he had received a preliminary reply from London but not a final reply and that he hoped to be prepared to discuss this question tomorrow. If by tomorrow he did not receive a full answer from London he would provide such information as he had received.

5. JAPANESE FLEET

MR. MOLOTOV stated that he wished to discuss a further point with regard to Japan. He had exchanged letters with Mr. Byrnes with regard to the Japanese fleet.⁵⁵ The proposal had been made that the Japanese fleet be scuttled. He had agreed with this proposal but with certain qualifications. He had thought it desirable that the smaller vessels be divided up. In any event the Soviet Union would receive $\frac{1}{4}$ of these vessels. Mr. Byrnes had expressed agreement to this. Mr. Molotov added that the same applied to the Japanese merchant shipping. He inquired as to how it would be best to get this matter underway.

MR. BYRNES replied that he had accepted Mr. Molotov's proposal and had issued instructions to the Navy to fulfill the agreement which they had reached. He did not remember the exact language of the correspondence. However, he had already instructed the U.S. Navy to proceed in accordance with the agreement.

MR. BEVIN inquired whether the British Government was a party to this agreement.

MR. BYRNES replied that it was.

MR. MOLOTOV inquired about the Japanese merchant marine.

MR. BYRNES replied that this depended upon what had been placed into the agreement.

⁵⁴ Presumably reference here is to the Soviet memorandum on German and other military units in Austria, included as enclosure 3 to the United States delegation minutes of the Informal Meeting of December 21, 2:30 p.m., p. 721.

⁵⁵ For the exchange of letters between the Secretary of State and Foreign Commissar Molotov on the disposition of the Japanese fleet, see telegrams 2175, October 17, 2197, October 20, and 2199, October 22, all to Moscow, printed in vol. VI, section under Japan entitled "Surrender of Japan . . .", Part IV.

MR. MOLOTOV read a section from Mr. Byrnes' letter regarding the Japanese merchant marine.

MR. BYRNES said that the Navy had informed him that it was necessary to use all possible Japanese vessels for the transport of supplies, et cetera. As soon as these operations were completed, he would instruct them to get in touch with the Soviet and British authorities and settle the matter.

MR. BEVIN stated that, as he recalled, the British proposal had been that the Japanese naval fleet should be sunk. With regard to the merchant marine, had not a reservation been made as to fishing vessels? Even though the Japanese had been defeated, it was necessary for them to go on living somehow.

MR. MOLOTOV said that some portion of the fishing fleet should be left to the Japanese, but not necessarily all.

MR. BYRNES said that the question of fishing vessels had not been discussed in his letter and he had no facts on this question. He did stand by the agreement reached in the correspondence and would take up later the question of fishing vessels.

MR. MOLOTOV reiterated that this matter should be placed into definite channels. It had started as far back as last October.

MR. BYRNES said he regarded it as a settled matter. He would find out from the Navy the status of the program set forth in his letter.

MR. MOLOTOV said that the Japanese fishing fleet should be included in the merchant marine.

MR. BYRNES said that this raised another question, one concerning which he had no information.

MR. BEVIN said that it would be necessary for him to study the question.

6. JAPANESE ISLANDS

MR. MOLOTOV inquired whether the other delegates could give him any information regarding the projected disposition of the Japanese islands and Japanese mandated islands in the Pacific.

MR. BYRNES replied that so far as the United States was concerned no solution had been arrived at and there could be no solution until the peace treaty problem was approached. He knew of no agreement except that with regard to the Kuriles.⁵⁶ He had not known about that agreement until he had been advised that an understanding had been reached at Yalta.

MR. BEVIN inquired whether the British Government had participated in that understanding.

⁵⁶ Presumably reference here is to the Agreement Regarding Entry of the Soviet Union into the War Against Japan, February 11, 1945, *Conferences at Malta and Yalta*, p. 984.

MR. MOLOTOV replied in the affirmative. With regard to the other Japanese islands, he inquired whether this question would be discussed in the future.

MR. BYRNES said that he would be delighted at any time to discuss the question.

MR. BEVIN said with regard to the secret agreement signed by President Roosevelt and Prime Minister Churchill, he personally had never seen anything concerning the Kuriles. The British Government knew nothing about it. It had been an agreement between Prime Minister Churchill, President Roosevelt and Generalissimo Stalin. However, the Cabinet members had no knowledge concerning it.

MR. MOLOTOV pointed out that Ambassador Clark Kerr and Mr. Cadogan knew about this agreement.

MR. BEVIN said that the British Government had not gone back on the agreement after it had learned about it and did not intend to go back on it. However, it created a "frightful" difficulty for him when matters were "thrown at" him in this fashion without his being informed in advance.

MR. MOLOTOV said that he was not pressing for an immediate discussion of this question. He only meant to inquire whether information could be expected upon it. If the question were not going to be decided, it would be desirable at least to set a time for deciding.

MR. BEVIN stated that any time Mr. Molotov informed him of a matter which Mr. Molotov felt was not being handled expeditiously, he would immediately take it up with his colleagues.

MR. MOLOTOV replied that both Mr. Bevin and his colleagues were present at the moment and that therefore there could be no better opportunity.

7. GERMAN ASSETS IN AUSTRIA

MR. BYRNES recalled that he had inquired earlier in the conference regarding the determination of what constitutes German assets in Austria. He desired to urge agreement upon his proposal that this question be referred to the Allied Control Council in Vienna and that the Soviet Government authorize its representative there to come to a decision on the question. There were some United States properties in Austria. The Nazis had taken charge of Austrian properties belonging to Americans. The claim had been made that these were Nazi assets. It was essential that prompt decision be reached in such questions as otherwise irritation was created. The United States Government had authorized its representative to settle these matters on the spot but its representative had replied that the Soviet representative had no such authorization.

MR. MOLOTOV replied that this general question had been discussed at the Berlin Conference and inquired whether there were any specific matters concerning it.

MR. BYRNES said that the claim had been raised that purely Austrian properties and American properties were really German properties.

MR. MOLOTOV said that specific cases should be considered individually.

MR. BYRNES agreed. However, when the United States representative had asked that such specific questions be considered, the Soviet representative had replied that he was not authorized to decide them.

MR. MOLOTOV said that he would attempt to clear up this question before Mr. Byrnes' departure.

8. PEACE TREATIES

MR. BYRNES pointed out that general agreement had been reached on the peace treaty proposal. China had been informed, and had concurred on this document.⁵⁷ Mr. Bidault had also been informed and had said that he personally was disposed to accept it but that he had no authority to do so and would have to speak to General de Gaulle.⁵⁸ Mr. Byrnes had put in a telephone call to Mr. Bidault for this afternoon. In the event that the French were in agreement, would Mr. Molotov and Mr. Bevin be willing to issue this document to the press? Since the conference had begun the press had been given no news concerning it. It would be desirable to issue this one statement and to say that the work of the conference was proceeding in a friendly spirit and that there would be a communiqué within a few days.

MR. MOLOTOV said that this was acceptable to him.

MR. BEVIN said that before publishing this document he wished to study further the wording of paragraph 4. His Government had called his attention to a constitutional question involved therein. The second line of this paragraph included the words "signed on behalf of". His Government preferred the words "signed by the governments". This was proposed since otherwise it might be assumed that Mr. Bevin had agreed to sign on behalf of Canada, et cetera.

MR. BYRNES and MR. MOLOTOV said they had no objection to this change.

MR. Molotov suggested that it read "signed by representatives of" the states in question.

MR. BEVIN agreed to this.

9. RUMANIA AND BULGARIA

After a recess, Mr. Molotov distributed Soviet drafts on Rumania and Bulgaria.⁵⁹

⁵⁷ For Chinese concurrence in the formula for preparing the peace treaties, see telegram 16, December 23, from Chungking to Moscow, p. 759.

⁵⁸ Regarding Bidault's disposition to accept the formula for preparing the peace treaties, see footnote 50, p. 761.

⁵⁹ Enclosures 6 and 5 to these minutes, pp. 773 and 772, respectively.

After a preliminary study of these papers Mr. Byrnes inquired whether the Soviet draft implied that the reorganized government of Rumania would contain only one representative from both the Peasant and Liberal Parties.

MR. MOLOTOV replied that there would be one representative from each party. Two suitable representatives could be found.

MR. BYRNES stated that he remembered saying in yesterday's conversation that the persons taken into the reorganized Government should be truly representative of their parties. Mr. Byrnes said that this certainly should be in the draft.

MR. MOLOTOV suggested that this was covered by the provision that the representatives taken in would be from groups not now participating in the Government.

MR. BYRNES replied that there might be certain cases in which men would belong to groups not now participating in the Government, but nevertheless would not be truly representative of their parties.

MR. MOLOTOV said that he had no objection to a person from the Maniu group but that Maniu himself would not be acceptable.

MR. BEVIN inquired whether it was necessary to mention the three individual men in a document of this character.

MR. MOLOTOV said that it had been stated at the outset that these three men were unacceptable. His colleagues had agreed to this.

MR. BYRNES said that it would not be proper for the three Governments to take specific notice of individuals. Instructions could be sent to the representatives of the three Governments that these three individuals should not be selected. However, the individuals themselves would not be made the subject of special mention.

MR. MOLOTOV pointed out that Mr. Ethridge had mentioned these individuals in his paper.

MR. BYRNES replied that there was a difference between the report of an individual and an agreement among three great Governments.

MR. MOLOTOV said that the Soviet Government considered the reference to these individuals to be necessary.

MR. BEVIN pointed out that there had been an assumption that the United States and British delegates were pressing for the inclusion of these three individuals. However, this did not follow from the proposal which Mr. Byrnes had presented. There would be misunderstanding in Great Britain if Mr. Bevin mentioned in the agreement three individuals whom he had never seen. Mr. Bevin concurred in Mr. Byrnes' suggestion that the representatives of the three powers be instructed not to select these individuals. However, it would be awkward publicly to ostracize men in their own country. It was another thing to have an understanding that the Commission to be formed would not consider selecting them.

10. ATOMIC ENERGY

MR. BYRNES inquired whether the atomic energy document had been finally disposed of.

MR. MOLOTOV stated that the Soviet Delegation was in agreement with the document (Enclosure no. 4). The Soviet Delegation also agreed to issue a statement to the press as Mr. Byrnes had proposed.

MR. BEVIN suggested with regard to the Atomic Energy Commission that all three governments approach France and China with the document and that he would approach Canada as a Dominion. These countries would be requested to sponsor the proposal before the United Nations. This would be done in order to have the proposal placed on the agenda at the forthcoming meeting of the General Assembly.

MR. BYRNES stated that this was satisfactory to him and that in fact he had assumed this would be done. However, he suggested that the proposal be submitted to the Drafting Committee.⁶⁰

MR. BYRNES suggested that in view of the fact that he had not yet received a reply from Mr. Bidault, the public statement to be issued this evening should say that the peace treaty agreement had been communicated to France and China and that France and China had been invited to adhere to it. He proposed that the statement be released not later than 10 p. m.⁶¹

MR. BEVIN and MR. MOLOTOV agreed to this.

It was agreed that the reference to Paris as the site of the peace conference would be struck out pending the French reply.

It was agreed to refer the Atomic Energy Commission agreement to the Drafting Committee.

A Protocol Committee was appointed consisting of Mr. Cohen, Mr. Malik, and Sir Ronald Campbell.

⁶⁰ According to the United Kingdom delegation minutes of this meeting, Foreign Secretary Bevin suggested, at this point, the following draft resolution for submission to the United Nations by the six sponsoring powers: "Resolved by the General Assembly of the United Nations to establish a Commission, with the composition and functions set out hereunder, to deal with the problems raised by the discovery of atomic energy and other related matters." It was agreed by the Conference that this draft resolution should be referred to the Drafting Committee. (Moscow Embassy Files: 500 Conference of Foreign Ministers)

⁶¹ Regarding the Secretary's efforts to obtain a reply from the French Government, see telegram 7332, December 24, from Paris to Moscow, *supra*, and footnote 50. The statement from the Conference regarding the preparation of peace treaties with Italy, Rumania, Bulgaria, Hungary, and Finland, which was released on December 24, was subsequently included as section I of the Communiqué on the Conference, released on December 27; for text of the Communiqué, see telegram 4284, December 27, 3 a.m., from Moscow, p. 815.

[Enclosure 1]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 24, 1945.

RUMANIA

The three Governments are prepared to give King Michael the advice for which he has asked in his letter of August 21, 1945, with a view to the formation of a Rumanian Government reorganized on a broader democratic basis which may be recognized by all three Governments. The King should be advised that the reorganized Rumanian Government should include members truly representative of the National Peasant Party and the Liberal Party. The Rumanian Government thus reorganized should be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties should have the right to take part and to put forward candidates. The reorganized government should give assurances concerning the grant of freedom of the press, speech, religion and association, and concerning the activities of the political police and militia.

Mr. Vyshinski, Mr. Harriman, and Sir A. Clark Kerr are authorized as a commission to proceed to Bucharest immediately to consult with King Michael, members of the present provisional government, and with other Rumanian democratic leaders with a view to the reorganization of the present government along the above lines and pledged to the holding of elections as stated above.

As soon as the reorganization is complete and the required assurances have been received the government of Rumania should be recognized by the Government of the U.S.S.R., which now maintains diplomatic relations with the present provisional government of Rumania, and by the Government of the United Kingdom and the Government of the United States.

[Enclosure 2]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 24, 1945.

BULGARIA

It is understood by the three Governments that the Soviet Government will undertake to extend friendly advice to the present Bulgarian

Government as to the desirability of including in addition to the present Fatherland Front parties representatives of other democratic elements such as the present opposition Agrarian, Social Democratic parties, and independents.

If this friendly advice is adopted by the Bulgarian Government and the additional representatives included, the British and United States Governments will then reexamine in accordance with the decisions of the Berlin Conference the question of the establishment of diplomatic relations with the Bulgarian Government.

[Enclosure 3]

Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers ⁶²

Moscow, December 24, 1945.

SUGGESTED DRAFT TERMS OF REFERENCE FOR TRIPARTITE COMMISSION
ON IRAN

1. The Commission to take as its point of departure the fact that during the presence in Persia of Allied troops the Persian economy and governmental organization have been disturbed and difficulties have arisen between the central government and the inhabitants of certain provinces. The three Powers recognize that they may have some responsibility for this and should, therefore, endeavor to assist the Persian state in reestablishing normal conditions to the satisfaction of all elements of the population and maintaining friendly relations with other countries.

2. With a view to allaying the apprehensions of the Persian Government, and to remove causes of international friction, the Commission to look into the question of facilitating the early withdrawal of Allied troops from Persia and to make appropriate recommendations to the governments of the three Powers.

3. The Commission to keep in mind (a) the undertaking given by Great Britain and Soviet Russia in the Treaty of January, 1942, to respect the political independence, sovereignty and territorial integrity of Persia; and (b) the declaration about Persia issued during the Tehran Conference by President Roosevelt, Generalissimo Stalin and Mr. Churchill.

⁶² According to despatch 2337, January 3, 1946, from Moscow, which transmitted to the Department certain records and documents relating to the discussions at the Conference of the Iranian question, this particular British memorandum incorporated changes made at the suggestion of the Secretary of State of the original British memorandum of December 20 on Iran (see p. 708); in particular, paragraphs 1, 2, 4, 8, and 10 of the present document were suggested by the United States delegation and accepted by Foreign Secretary Bevin (740.00119 Council/1-346).

4. With a view to reconciling the existing differences between the central Persian Government and certain regions of the country, the Commission to advise and assist the Persian Government in the establishment of provincial councils, in accordance with the provisions of the Persian constitution.

5. The recommendations of the Commission (which must receive the approval of the three Governments before being submitted to the Persian Government) to cover the whole of Persia including Azerbaijan.

6. Existing laws amplifying the relevant provisions of the constitution (with respect to provincial councils) to be taken as the point of departure but the Commission to recommend any amendments which seem to be required especially in regard to the elections to the local councils, the powers and duties of the councils and the manner in which they are to be furnished with funds.

7. The Commission also to make recommendations as to the use of the minority languages such as Arabic, Turkish and Kurdish for educational and other purposes.

8. The Commission to consult closely with the Persian Government and with representatives of all important elements of the population in the process of formulating its recommendations.

9. The three Powers to use their best endeavors to persuade the Persian Government to pass into law and to put into execution the recommendations made by the Commission.

10. The Commission to make no recommendation which would weaken the fundamental unity of the Persian state.

11. The first provincial elections to be carried out under the supervision of the Commission.

[Enclosure 4]

[Enclosure 4, a revised draft text of the proposed recommendations for the establishment by the United Nations of a commission to deal with the problems raised by the discovery of atomic energy and other related matters, not here printed; the text was incorporated as section VII of the Communiqué on the Conference, December 27, printed on page 822.]

[Enclosure 5]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 24, 1945.

BULGARIA

It is understood by the three Governments that the Soviet Government will undertake to extend friendly advice to the Bulgarian Gov-

ernment now being formed as to the desirability of including within the Bulgarian Government of the Fatherland Front now being formed an additional one or two representatives of other democratic groups from among representatives of the opposition loyal to the Bulgarian Government.

If this friendly advice is adopted by the Bulgarian Government and the additional representatives included, the British and United States Governments will establish diplomatic relations with the Bulgarian Government, with which the Soviet Government already has diplomatic relations.

[Enclosure 6]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 24, 1945.

RUMANIA

The three Governments are prepared to give King Mihail the advice for which he has asked in his letter of August 21, 1945, on the broadening of the basis of the Rumanian Government. The King should be advised that in the composition of the Rumanian Government there should be included in addition 1-2 loyal representatives, in relation to the present Government, of groups of the National-Peasant and the Liberal parties (not including Maniu, Bratianu, Lupu) which are not participating at the present time in the Government.

The three Governments take note that the Rumanian Government thus reorganized will declare that free and unfettered elections will be held as soon as possible on the basis of universal and secret ballot. In these elections all democratic and anti-fascist parties should have the right to take part and to put forward candidates. The reorganized Government should give assurances concerning the grant of freedom of the press, speech, religion and association.

A. Y. Vyshinski, Mr. Harriman, and Sir A. Clark Kerr are authorized as a Commission to proceed to Bucharest immediately to consult with King Mihail and members of the present Government with a view toward the execution of the above-mentioned tasks.

As soon as these tasks are decided and the required assurances have been received, the Government of Rumania, with which the Soviet Government maintains diplomatic relations, will be recognized by the Government of the United States of America and the Government of the United Kingdom.

Moscow Embassy Files : 500 Conference of Foreign Ministers

*United Kingdom Delegation Record of a Conversation at the Kremlin,
December 24, 1945, 7 p. m.*⁶³

[Extracts]

U.S.S.R.	U.K.
Generalissimo Stalin	Mr. Bevin
M. Molotov	Sir A. Clark Kerr
M. Gusev	Sir A. Cadogan
M. Pavlov	Mr. McAfee

IRAN

MR. BEVIN said that he had communicated with H. M. Government, who could not help feeling that, although of course they recognised that the Soviet Government were entitled to take all measures to protect the Baku oilfields, the situation was not such as to justify the maintenance of so large a force in Northern Iran. British troops had been reduced in number to 4,000 and these were stationed at a considerable distance from the capital. Even if the last British troops were withdrawn, the situation which had developed would mean that there was no complete settlement. Therefore, he had submitted to M. Molotov a proposal for a three-Power commission with a draft of their terms of reference. He felt, and H. M. Government felt, that the three Governments having had this area placed at their disposal for the purposes of the war, it would be unfortunate if they had to come before the United Nations in order to clear up the situation. Nor did they wish it to give rise to any misunderstanding between our two Governments. He thought that the proposal now submitted offered a chance of clearing up the situation, safeguarding the integrity of Iran and removing difficulties between Russia and the United Kingdom.

GENERALISSIMO STALIN said that this proposal might serve as a basis for some sort of agreement. He would have some amendments of no very great substantial importance to propose and he would communicate these that night or the following morning.

MR. BEVIN said that these amendments when received would be carefully considered and he would then consult with Mr. Byrnes and M. Molotov and try to get an agreement.

GENERALISSIMO STALIN said that he hoped that our two Governments might find a common ground. What was Mr. Byrnes' position?

⁶³ One copy of this record of conversation was given by Pierson Dixon of the United Kingdom delegation to Mr. Bohlen for delivery to the Secretary of State at the request of Foreign Secretary Bevin. Another copy was given to Ambassador Harriman.

MR. BEVIN said that Mr. Byrnes had not definitely committed himself but he would see him on the following day.

ACCESS TO THE BALTIC

GENERALISSIMO STALIN said that he would like to clear up the question of the Skaggerak. The Soviet Government did not know whether Russian shipping was entitled to free passage.

MR. BEVIN said that his information was that there was absolutely free passage through the Skaggerak. Now that Germany was defeated we hoped it would be possible to establish the principle of free passage for ships of all nations. H.M. Government, on the other hand, would not approve the idea of any bases in this particular area.

GENERALISSIMO STALIN said he did not refer to bases at all.

DODECANESE

GENERALISSIMO STALIN referred to Mr. Bevin's recent proposal for handing these islands over to Greek administration. He said that he had no objection in principle to these islands being transferred, but he would not like to see this question settled separately from the Italian peace treaty of which it formed part. The Soviet Delegation at the London meeting of the Council of Foreign Ministers had been somewhat offended by the attitude of the British and American Governments, who had seemed to be afraid of agreeing to Soviet trusteeship for Tripolitania. If that could have been agreed, Great Britain would have lost nothing because she already had plenty of bases all over the world, more even than the United States. Could not the interests of the Soviet Government also be taken into account?

MR. BEVIN said that as regards the Dodecanese, he agreed with Generalissimo Stalin. He had made the proposal for immediate transfer to Greece when it seemed that it was impossible to look for any early progress in the making of peace treaties. Now, however, that we had come so far towards agreement in this matter he thought that the transfer of the Islands could well await a final settlement.

As regards Tripolitania, Generalissimo Stalin had touched on a very sensitive point. Mr. Bevin had told M. Molotov in London that he for his part would have been ready to put Tripolitania under Italian trusteeship. But that raised certain difficulties and when the proposal was made for an international trusteeship, by which he understood a four-Power trusteeship, H.M. Government had agreed. He had thought that the Mediterranean being so troublesome and dangerous an area it might be better to have an international trusteeship rather than one individual Government installed as trustee.

MR. BEVIN recalled that in the case of Tangier, the Soviet Government had been consulted and their request to participate in the new arrangements had been acceded to. He thought that international arrangements of this kind might make for peace in the Mediterranean. The matter might be reconsidered again later when our friendship had grown and developed further. Mr. Bevin pointed to the fact that an agreement had now been reached providing for the withdrawal of troops from the Levant. He could not imagine any of the great Powers fighting each other. The last two wars had both been started by Germany. He did not want to rely too much on bases. He preferred to work for the development of better understanding between the Governments.

GENERALISSIMO STALIN said that he noted that the British were not prepared to trust the Soviet in Tripolitania to which Mr. Bevin replied that there was no question of lack of trust but a desire to avoid competition.

GENERALISSIMO STALIN said that, as he saw the situation, the United Kingdom had India and her possessions in the Indian Ocean in her sphere of interest: the United States had China and Japan, but the Soviet had nothing.

MR. BEVIN pointed out that the Russian sphere extended from Lübeck to Port Arthur.

As regards Indonesia, H.M. Government were determined to withdraw from there as soon as possible. British troops were due to leave Indo-China this week, their task there was finished and the Japanese had been completely disarmed. If a settlement could be reached between the Dutch and the Indonesians, British troops would be withdrawn also from there. British intentions were not so reprehensible as Generalissimo Stalin might think.

GENERALISSIMO STALIN said he was not particularly anxious to see the British leave certain territories. That might indeed be to the disadvantage of every one. For instance, the presence of the British in Egypt during the war had been of considerable value.

MR. BEVIN said that H.M. Government had certain responsibilities in that region and must devise means for the defence of Egypt. But in matters of trade, etc., Egypt must be opened to all the world. When we came to deal with that part of the world, seeing that Generalissimo Stalin recognised that the British had a duty to police it, he hoped that H.M. Government could count on the Generalissimo's sympathetic consideration.

GENERALISSIMO STALIN indicated assent.

740.00119 Council/12-2645:

*Memorandum of Conversation, by the United States Delegation at the
Moscow Conference of Foreign Ministers* ⁶⁴

Moscow, December 25, 1945.

Present:	Secretary Byrnes	Mr. Molotov
	Ambassador Harriman	Mr. Vyshinski
	Mr. Bohlen	Mr. Pavlov

Subjects: Disposition of Japanese naval and merchant fleet
Japanese fishing fleet
Japanese mandated islands
Site of UNO Assembly
Selection of Secretary General for Assembly
Iran

MR. MOLOTOV said that he had wanted to talk with the Secretary about the question of the disposition of the Japanese naval and merchant fleet. This question had not been clarified during the discussion yesterday and he wished to find out more about the status of the matter.

THE SECRETARY replied that he had nothing to add to what he had said and that after an exchange of letters on the subject with Mr. Molotov ⁶⁵ he had turned the matter over to the naval authorities and he assumed that it was being carried out. He said that he had had no information since then.

MR. MOLOTOV replied that he raised the question because the exchange of letters took place over two months ago and he had heard nothing about the matter through any channel.

THE SECRETARY said he would look into the matter upon his return to Washington.

MR. MOLOTOV said as to the question concerning the Japanese mandated islands which he had raised yesterday he was not going to press the matter but he hoped that at some time he would have an opportunity to discuss it. Mr. Molotov then said in regard to the Assembly that he noted that decision had been taken to locate in the United States. ⁶⁶

⁶⁴ Meeting held at Spiridonovka, December 25, 1945, 4:00-4:30 p. m.

⁶⁵ See footnote 55, p. 764.

⁶⁶ Reference here is to the decision of the London Preparatory Commission of the United Nations General Assembly to locate the United Nations Organization permanent headquarters in the United States. The United States representatives on the Preparatory Commission and its Executive Committee maintained a position of complete neutrality on this question. For documentation on the work of the Preparatory Commission, August-December 1945, see vol. I, pp. 1433 ff.

THE SECRETARY said that he had had some doubt as to the advisability of this step and that our representative on the Committee in London had been instructed not to work for the United States as the seat of the organization but since other nations desired it we were quite prepared to accept.

MR. MOLOTOV then reverted to the question of the Japanese merchant fleet and said that in his letter Mr. Byrnes had written that it was necessary to discuss this question with our other Allies as well as the Soviet Union. He wished to know when and where these discussions would take place.

THE SECRETARY said that he would look into the matter upon his return to Washington and it might be possible that one of our representatives could discuss it in London next month. He said that in regard to the merchant fleet we did not consider fishing vessels as coming within that category and that he had never heard any reference to the disposition of the Japanese fishing fleet until the other day when Mr. Molotov mentioned it. He said that we did not consider fishing vessels as forming part of the merchant fleet.

MR. MOLOTOV asked if it was intended to leave the whole Japanese fishing fleet to the Japanese.

THE SECRETARY said that he had no information on that subject. He added, however, that, according to our naval authorities, during the closing days of the war there had been great destruction of the Japanese merchant fleet vessels and that as a result the size of the Japanese merchant fleet had been much smaller than anticipated.

MR. MOLOTOV said that, turning to the subject of the forthcoming meeting of the Assembly he would like to know whether the United States had any candidates for the post of Secretary General.

THE SECRETARY answered that we had no candidate; that he had discussed the matter once with Mr. Stettinius, and he knew that there had been some discussion in London on this question.

MR. MOLOTOV replied that in this discussion several candidates had been proposed, among them Mr. Simic, Yugoslav Ambassador to Washington, who was formerly the Yugoslav Ambassador to Moscow. He said that he thought Mr. Simic would be very suitable as he was a non-party man, an experienced diplomat and objective in his views.

THE SECRETARY said that Mr. Stettinius had mentioned to him only two candidates, one a Canadian, Mr. Robertson,⁶⁷ and the other a Dutchman whose name he had forgotten. He said that neither the President nor he were backing any particular candidate.

In conclusion, Mr. Molotov mentioned that he thought that the

⁶⁷ Norman A. Robertson, Canadian Under Secretary of State for External Affairs.

British proposal on Iran was in general acceptable and asked Mr. Byrnes' views.⁶⁸

THE SECRETARY said that he did not especially like the proposal but if it could be adopted as a possible first step in the direction of a solution he would be prepared to accept it. He said he was particularly anxious to avoid having the question of Iran raised in the world organization, because he was afraid that it would disclose the differences between our three Governments and that he always wanted to avoid.

740.00119 Council/1-346

*Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers*⁶⁹

Moscow, December 25, 1945.

TRIPARTITE COMMISSION FOR IRANIAN AFFAIRS

The Governments of Great Britain, U.S.S.R., and U.S.A. have agreed on the formation of a Tripartite Commission for Iranian questions, and are submitting this agreement to the Iranian Government for their concurrence.

The terms of reference are as follows:

1. The Commission shall take as its point of departure the fact that during the presence in Persia of Allied troops the Persian economy and governmental organisation have been disturbed and difficulties have arisen between the central government and the inhabitants of certain provinces. The Three Powers recognise that they may have some responsibility for this and should, therefore, endeavour to assist the Persian state in re-establishing normal conditions to the satisfaction of all elements of the population and maintaining friendly relations with other countries.

2. With a view to removing the apprehensions of the Iranian Government and causes of international friction, the Commission shall deal with the question of the acceleration of the withdrawal of Allied

⁶⁸ Presumably reference here is to the United Kingdom memorandum on suggested draft terms of reference for a tripartite commission on Iran, included as enclosure 3 to the United States delegation minutes of the Informal Meeting of December 24, 3: 15 p. m., pp. 761, 771.

⁶⁹ According to despatch 2337, January 3, 1946, from Moscow (740.00119-Council/1-346), which transmitted to the Department certain documents and records relating to the discussions of the Iranian question at the Conference, this particular British memorandum as formally submitted to the Conference was used as a basis of discussion at the Informal Meeting of December 25, 5: 15 p. m.; it incorporated certain Soviet suggestions and a number of British changes of their memorandum of December 24 on Iran, which is included as enclosure 3 to the United States delegation minutes of the Informal Meeting of December 24, 3: 15 p. m., pp. 761, 771.

troops from Iran, which is due to be completed by March 2nd, 1946, at latest, and to make appropriate recommendations to the Governments of the Three Powers.

3. The Commission shall keep in mind (*a*) the undertaking given by Great Britain and Soviet Russia in the Treaty of January, 1942, to respect the political independence, sovereignty and territorial integrity of Persia; and (*b*) the declaration about Persia issued during the Tehran Conference by President Roosevelt, Generalissimo Stalin and Mr. Churchill.

4. With a view to reconciling the existing differences between the central Persian Government and certain provinces of the country, the Commission shall advise and assist the Persian Government in the establishment of provincial councils, in accordance with the provisions of the Persian constitution.

5. The Recommendations of the Commission (which must receive the approval of the Three Governments before being submitted to the Persian Government) shall cover the whole of Persia including Azerbaijan.

6. Existing laws amplifying the relevant provisions of the constitution (with respect to provincial councils) shall be taken as the point of departure but the Commission shall recommend any amendments which seem to be required especially in regard to the elections to the local councils, the powers and duties of the councils and the manner in which they are to be furnished with funds.

7. The Commission shall also make recommendations as to the use of the minority languages such as Arabic, Turki and Kurdish for educational and other purposes.

8. The Commission shall consult closely with the Persian Government and with representatives of all important elements of the population in the process of formulating its recommendations.

9. The Three Powers shall use their best endeavours to persuade the Persian Government to pass into law and to put into execution the recommendations made by the Commission.

10. The Commission shall make no recommendation which would weaken the fundamental unity of the Persian State.

11. The first provincial elections shall be carried out under the supervision of the Commission.

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, Spiridonovka, Moscow, December 25, 1945, 5:15-11:30 p. m.

Present: ⁷⁰

Mr. Byrnes
Mr. Harriman
Mr. Cohen
Mr. Bohlen
Mr. Tucker

Mr. Molotov
Mr. Vyshinski
Mr. Gusev
Mr. Pavlov

Mr. Bevin
Sir A. Clark Kerr
Sir A. Cadogan
Sir R. Bullard
Mr. Watson ⁷¹
Mr. Dixon
Mr. McAfee

Subjects: Rumania
Bulgaria
Iran

1. RUMANIA

MR. MOLOTOV pointed out that the paper submitted today by Mr. Byrnes on Rumania ⁷² did not refer to Maniu, Bratianu, and Lupu although Generalissimo Stalin had stated in the discussion of this matter that he was in agreement with Mr. Byrnes' amendments provided that these three individuals would not be among the candidates for the Rumanian Government.

MR. BYRNES said that there was no disagreement on that point. If there was any doubt concerning the agreement a letter could be written to Mr. Molotov. However, it would not be seemly for three great Governments to mention three individuals in a formal paper.

MR. MOLOTOV said that the important thing was that there would not be any lack of clarity in the future. He would agree to any form of statement of the agreement reached on this point. However, the statement should be written in such fashion as not to give rise to any misunderstanding in the future. The statement could be made either in a letter or in the protocol.

MR. BYRNES proposed that the statement be made in a letter.

MR. BEVIN said that this would be better. The letter would be signed but not published. Mr. Bevin inquired whether it was intended to have any unpublished protocol for the present conference.

⁷⁰ According to the United Kingdom delegation minutes of this meeting, the following additional persons were present: For the United States—Mr. Matthews; for the Soviet Union—Mr. Tsarapkin; for the United Kingdom—William G. Hayter, head of the Southern Department of the British Foreign Office.

⁷¹ John H. Watson, Second Secretary of the British Embassy in Moscow.

⁷² No copy of a revised United States delegation paper on Rumania has been found; for the last previous United States paper on Rumania, see enclosure 1 to the United States delegation minutes of the Informal Meeting of December 24, 3:15 p. m., p. 770; for the Stalin-Byrnes discussion on Rumania, see memorandum of conversation by the United States delegation, December 23, p. 750.

MR. MOLOTOV replied that the protocols of the previous conferences had not been published. Communiqués had been published on the basis of the protocols.

MR. BYRNES pointed out that a letter would be unpublished whereas eventually the protocol would be published. There was no doubt about each of the parties living up to the agreement. The agreement would be placed in writing and each party would have copies.

MR. BEVIN suggested that the instructions to the representatives of the three powers on this question should read as follows: "In accordance with the understanding reached by Mr. Molotov, Mr. Byrnes, and Mr. Bevin, you are hereby instructed that in the formation of the Government referred to in paragraph 1 there shall not be included Mr. Maniu, Mr. Bratianu, or Mr. Lupu."⁷³

MR. MOLOTOV agreed to this.

MR. Molotov then proceeded to the next Soviet objection to the U.S. draft on Rumania. He objected to the phrases "in important positions" and "at least" in the first paragraph of the U.S. draft. However, he was willing to accept the phrase "two members" as distinct from the Soviet wording "1-2".⁷⁴

MR. BYRNES said that the phrase "in important posts" ought to be included; otherwise there would be no agreement that these two newly appointed members would be appointed to important posts in the Government. There were many non-important posts in the Government. It would have a very bad effect on public opinion if the impression were created that they would be appointed to minor posts in the Government. The U.S. wording did not specify what posts the new members should occupy.

MR. MOLOTOV said that the Soviet proposal referred to the composition of the Government itself, which now included 18 members. The posts would be "appropriate" and the new appointees would be genuine members of the Government.

MR. Molotov objected to the U.S. wording "who are loyal to the objectives of the armistice" at the end of paragraph one. He said that this was not sufficient.

⁷³ The text of the letter from Foreign Secretary Bevin to Ambassador Clark Kerr read as follows: "As you know, you have been appointed to the Commission to advise the King of Roumania on the reorganisation of the Roumanian Government. In that capacity, you should be aware that it was agreed at the meeting of the three Foreign Ministers that each Foreign Minister should instruct his respective representative on the Commission that, in selecting representatives of the National Peasant and Liberal Parties for inclusion in the Government, the names of MM. Maniu, Bratianu and Lupu should not be put forward. You should bear this in mind in the course of your discussions with your colleagues." (740.00119 Council/1-2346) For text of the Secretary of State's letter to Ambassador Harriman, December 26, see p. 801.

⁷⁴ Reference here is to the Soviet memorandum on Rumania, included as enclosure 6 to the United States delegation minutes of the Informal Meeting of December 24, 3: 15 p. m., p. 773.

MR. BEVIN said that in forming a coalition, it was very difficult to apply the criterion "loyal to the Government" as in the Soviet draft. Mr. Bevin had not been loyal in the Churchill coalition.

MR. MOLOTOV said that he was sure that Mr. Bevin had never been disloyal to his Government.

MR. BEVIN replied that the term had a different meaning in the English language and would be misunderstood if used in the decision. He proposed to embody the wording "with approved democratic records."

MR. MOLOTOV said that if different members of the Government could not get along together there could not be a government.

MR. BEVIN replied that in a democratic government decisions once made were carried out. He inquired what the test of loyalty would be.

MR. MOLOTOV replied that the Commission should choose individuals who were not in conflict with members of the present Government and who would work loyally with the Government. If their previous records were besmirched, they should not be selected.

MR. BEVIN pointed out that the present Government would no longer exist if the King of Rumania appointed a new Government.

MR. MOLOTOV replied that the bulk of the future government would be identical with the present Government—why would it not be the "present Government?" The head of the Government would remain.

MR. BEVIN proposed to use the wording: "who are prepared to work loyally with the Government thus broadened." He said that it would be up to the Commission to choose individuals conforming to this criterion. The appointees should be men loyal to the present Government. This was the basic pre-condition of their being able to collaborate in it.

MR. VYSHINSKI named Mihailache as an example of a Rumanian who would not be an acceptable candidate for the Government. Mihailache had been fighting the present Government for nine months.

MR. BEVIN pointed out that he had been fighting Churchill for 30 years.

MR. MOLOTOV said that this was a question of a defeated country which had armistice obligations to meet and had only recently emerged from the period of the Antonescu⁷⁵ regime and the Iron Guard.⁷⁶ By the term "loyal representative" as used in the Soviet draft Mr. Molotov meant (a) a representative of a non-party group and (b) a man whose relations with the Government had not been "spoiled." He should be a man capable of working with the Government and one who had been loyal in his behavior although he might have disagreed with the present Government. However, this could not be

⁷⁵ Marshal Ion Antonescu, Leader of the Rumanian State from September 14, 1940, until his overthrow on August 26, 1944.

⁷⁶ Rumanian Fascist movement.

formulated in detail. It was a matter for the representatives to decide.

MR. BYRNES stated that what Mr. Bevin had said was true. In the U.S. a man would be loyal to the Government but not necessarily to the administration of the Government.

MR. MOLOTOV pointed out that Generalissimo Stalin had mentioned the example of Dewey.

MR. BYRNES replied that Dewey was a good example of a man loyal to the Government but not to the present administration. Dewey's position would be that he would be prepared to work with a government thus broadened.

MR. MOLOTOV pointed out that any person might declare his willingness to work loyally with the government. Maniu might declare such willingness but regardless of that would be unsuitable. The type of person needed was one whose relations with the present Government had not deteriorated.

MR. BYRNES proposed the words "prepared to work loyally." It would then be up to the Commission to see whether or not a given individual was prepared to work loyally with the Government. The Commission would not leave it up to the individual to say this.

MR. MOLOTOV proposed the wording: "two members who do not have a reputation of being hostile to the Rumanian Government and are actually prepared to work loyally with it."

MR. BEVIN objected that anyone who had expressed the "slightest view" in opposition to the Government would thus be ruled out.

MR. MOLOTOV then proposed to accept the original Soviet language as being simpler. The rest could be cleared up by the representatives on the Commission. Personalities could not be discussed in Moscow.

MR. BYRNES said that he could not agree to the language of the original Soviet draft. He referred to the phrase "truly representative" in the second sentence of the U.S. draft and asked whether this phrase was acceptable.

MR. MOLOTOV objected that it was redundant.

MR. BYRNES replied that persons not truly representative of the two parties might be selected. In his conversation with Generalissimo Stalin Mr. Byrnes had added the words "they should be truly representative" to the Generalissimo's statement in order to avoid the charge of selecting persons who in actual fact were not truly representative of their parties.

MR. VYSHINSKY said this would be up to the Commission to decide.

MR. BYRNES replied that if this was so the Commission should be advised explicitly in the draft. Mr. Byrnes might select a Republican whom other Republicans would not consider representative of their party.

MR. VYSHINSKY said that the word "truly" did not add anything.

MR. BYRNES replied that the American people believed that in some instances persons had been selected as representative of a given party who did not really represent the sentiment of that party. If the three Governments wished to select men who were really representative, it would be a fine thing to say so. This would give confidence that such would be done.

MR. MOLOTOV said that this might give rise to argument.

MR. BYRNES replied that argument would only arise if the three Governments failed to say that the appointees should be "recognized leaders" so that the Commission would know that the men it chose should be "really and truly leaders of their parties."

MR. MOLOTOV raised again the question of making specific reference to Maniu, Bratianu, and Lupu. He said that he perhaps should not have made a concession to Mr. Byrnes on this point.

MR. BYRNES pointed out that agreement had already been reached that letters would be written with instructions not to select these three individuals. The important thing was to present a document which would give rise to hope that representation would be given to these two parties.

MR. MOLOTOV then made the following proposal: to replace the phrase "1-2" by "two;" to delete the reference to Maniu, Bratianu, and Lupu; and to employ the wording "two representatives loyal to the present Government—truly representative of those groups of the National Peasant and Liberal parties not at the present time participating in the present Government." If this proposal was unacceptable, then Mr. Molotov suggested that specific mention be made of Maniu, Bratianu, and Lupu.

MR. BEVIN said that the following language would be more acceptable to public opinion of his country: "The King should be advised that two representatives should be added to the Government, representatives of the National Peasant and Liberal parties. The Commission shall satisfy themselves that

- (a) They are members of the groups of the parties not represented in the Government;
- (b) They are suitable, will work loyally with the present Government, and are friendly to the three Allied Governments.

MR. BYRNES was inclined to concur in Mr. Bevin's proposal. It had the advantage of giving more discretion to the Commission. He would be willing to accept Mr. Bevin's proposal in the hope of finding a way out.

MR. BYRNES proposed that the phrase "should declare" should be substituted for the phrase "will declare" in the first sentence of para-

graph 2 of the Soviet draft on Rumania. His objection was to the phrase "take note that." The Governments could not take note when there was nothing to note.

MR. MOLOTOV replied that this phraseology had been taken from the Polish document.

MR. BYRNES said that he would not object to this phrase if it had already been used in the Polish document.

MR. MOLOTOV stated that he was prepared to accept the language of Mr. Bevin's proposal with the following suggestion. The first sentence was acceptable without change, as was also (a). However, (b) should read: "They are suitable for this purpose on account of their past political activities" etc.

MR. BEVIN asked whether the intention was to rule out any person who might have said something against the present Government. He was not referring to Maniu, Bratianu, and Lupu.

MR. MOLOTOV said that this did not follow from his formula.

MR. VYSHINSKI said that the Commission would take account of a candidate's whole record rather than any one fact in his record. It was clear that the persons selected should not be rank and file members of their parties.

MR. BEVIN said that he had come to the conclusion that it would be best not to spell out the qualifications of the persons to be chosen since each would have his own ideas on that subject. However, he construed the word "suitable" to mean that a person chosen should be a person of character and ability, physically qualified, and trained for the particular position offered.

MR. BYRNES had wished to use the phrase "truly representative," but he would compromise on the term "suitable."

MR. MOLOTOV stated that he was willing to accept the language proposed by Mr. Bevin provided Section (b) would read: "suitable for this purpose on account of their past political activities." He was willing to agree that (a) should read, "They are truly representative members" etc. The rest should be left up to the Commission.

MR. BEVIN inquired as to the meaning of "past political activities."

MR. MOLOTOV replied that this criterion would rule out persons who had been compromised by association with such elements as the Iron Guard and the Antonescu group.

MR. HARRIMAN asked whether a person who had in the past opposed particular measures of the present Government would be opposed.

MR. VYSHINSKI replied that such persons would, of course, not be opposed. He had in view compromised persons such as Penescu,⁷⁷

⁷⁷ Nicolae Penescu, leader in the Rumanian National Peasant Party and Minister of Interior, August 1944 to March 1945.

who had dispersed a workers' meeting. Persons of that sort were not desirable.

MR. BEVIN said that it would be left to the Commission to determine the scope of the phrase "past political activities," which, however, he understood, would be limited to collaborators, Iron Guardists, etc.

MR. VYSHINSKI assented to this.

MR. BYRNES pointed out that the second sentence of the second paragraph of the U.S. draft included the phrase "free from force or intimidation." He said that there could be no objection to the inclusion of this phrase.

MR. MOLOTOV replied that the inclusion of this phrase was inconsistent with the final sentence of paragraph 2, which referred to assurances concerning freedom of the press, etc. The document should not be repetitious. Such freedoms excluded the use of force and intimidation.

MR. BYRNES stated that the assurances referred to in the final sentence of paragraph 2 did not refer to the elections.

MR. MOLOTOV said that with regard to the elections, the draft stated that they should be "free and unfettered."

MR. BYRNES pointed out that there might be freedom of the press but at the same time intimidation at the polls.

MR. BYRNES was sure that Mr. Molotov had no real objection to the words "free from force or intimidation."

MR. MOLOTOV replied that it would not be correct to include this phrase. It was already being specified that the elections should be free and unfettered. There was no need to offend the Rumanian Government. It would not be seemly to include this phrase. The phrase "free and unfettered" disposed of the matter.

MR. VYSHINSKI pointed out that the wording of paragraph 2 of the Soviet draft was that of the original U.S. draft. Now the U.S. Delegation was making new amendments to its own previous language.

MR. BYRNES replied that the revised U.S. draft was in question.

MR. MOLOTOV suggested that the phrase "anti-fascist" should be substituted for "anti-Nazi" in the sentence 2 of paragraph 2 of the U.S. draft. This was agreed to.

With regard to the final paragraph, MR. MOLOTOV stated that it was not clear why the U.S. Delegation had introduced the preamble: "As soon as the Governments of," etc. The conditions upon which the Rumanian Government would be recognized by the Governments of the U.S. and the U.K. had already been set forth in the previous part of the draft.

MR. BYRNES replied that the United States formula was based on the principle that only a government can decide whether to recognize another government. The Rumanian Government could not be rec-

ognized unless the United States Government was satisfied that the steps had been properly taken and the required assurances received.

MR. MOLOTOV said that the same idea was implied in the wording of the Soviet draft.

MR. BYRNES said that his aim was to avoid future misunderstandings. If the United States Government did not believe that the tasks had been carried out, it would not take action. There should be no doubt as to where the decision lay.

MR. MOLOTOV said that it would be very strange if the Commission settled its tasks and then some time were required before the recognition took place. This would imply mistrust of the Commission. Mr. Molotov said that the original United States draft had not included this.

MR. BYRNES replied that the second draft did, however, include it, pointing out that he had agreed to amendments proposed by Mr. Molotov which had not appeared in the original United States draft.

MR. BYRNES reiterated that the Commission did not have the right to determine whether one government would recognize another.

MR. MOLOTOV concurred in this.

MR. BYRNES said that this should, therefore, be formulated. He added that the success of this whole matter depended upon the existence of absolute confidence among the three governments. If the United States Government did not desire to recognize the Rumanian Government it would not be conducting these conversations regarding it.

MR. BEVIN proposed the following language: "as soon as the Commission reports that these tasks are accomplished and the required guarantees have been received by the respective governments, the Government of Rumania, with which the Soviet Government maintains diplomatic relations, will be recognized by the Governments of the United States and the United Kingdom."

MR. MOLOTOV inquired how long the Commission would take in its work.

MR. BEVIN said that the Commission should work swiftly. Just how long, would depend upon the Rumanian Government; however, the task should not be a long one.

MR. MOLOTOV said that the language proposed by Mr. Bevin might imply that the Commission should function for a long period of time. He said that the governments should not delay the work of the Commission.

MR. BEVIN said that he had not intended to do that.

MR. MOLOTOV proposed to accept the language suggested by Mr. Bevin.

MR. BYRNES said that it was up to the government itself to decide the question of recognizing another government. He desired to retain the words "are satisfied."

MR. MOLOTOV said that the Commission's report should be an agreed report.

MR. BYRNES said that he had referred to the document on Poland and discovered that the word "properly" had been used therein.⁷⁸ He pointed out that the first sentence of the final Soviet paragraph read: "As soon as these tasks are resolved." He proposed that this be altered to read "properly resolved," borrowing the language of the document on Poland.

MR. MOLOTOV said that this would be acceptable.

MR. BYRNES said that he wished to have it clearly understood that the United States Government would determine whether the tasks had been properly resolved and whether the required assurances had been received.

It was agreed that the word "accomplished" should be employed instead of the word "resolved" in the English text.

Upon MR. MOLOTOV's request, MR. BYRNES read the text as agreed upon: "as soon as these tasks are properly accomplished and the required assurances have been given, the Government of Rumania," etc. with the remainder of the sentence embodying the language of the Soviet draft.

After a recess for further study of the Rumanian proposals, MR. MOLOTOV stated that he could not accept the word "properly" in the last paragraph. This formula had been applied to Poland at a time when two governments were in question. However, there were no two governments involved in Rumania and Mr. Molotov could not agree to the use of the same formula.

MR. BYRNES said that he was disappointed that Mr. Molotov could not agree on this. He had not thought that there would be any further objection. When the language of the United States draft had not been accepted, Mr. Byrnes had suggested the language of the Polish paper as a compromise.

MR. VYSHINSKI had said that the word "properly" was superfluous.

MR. BYRNES requested that this superfluous word be included.

MR. MOLOTOV could not agree to this. He said that the representatives on the Commission would not sign an agreement unless they considered that the tasks had been properly accomplished.

MR. BYRNES said that he did not wish to eliminate the word "properly," even if it was superfluous.

⁷⁸ Reference here is to the tripartite agreement on the establishment of a Polish Commission, included as section VI of the Report of the Crimea Conference, *Conferences at Malta and Yalta*, p. 973.

MR. MOLOTOV said, with regard to paragraph 1, that he proposed to delete "on account of past political activities." The phrase "present government" should be retained. The specification that the individuals chosen should be friendly to the three governments would be deleted.

MR. HARRIMAN said that he had understood from Mr. Vyshinski that this paragraph had been agreed to. The specification that the individuals chosen should be friendly to the three governments had been dismissed as superfluous.

MR. VYSHINSKI concurred.

MR. HARRIMAN said that he wished to confirm that the phrase "present government" was construed by Mr. Vyshinski to mean "the existing government plus two members."

MR. VYSHINSKI and MR. MOLOTOV concurred.

MR. MOLOTOV said that it was necessary to retain the word "present" since it was not being proposed to set up a new government but merely to amplify the present government.

It was decided to pass on to the question of Bulgaria, leaving the undecided points in the Rumanian proposals.

MR. HARRIMAN inquired whether the phrase "free from force or intimidation" was to be retained in paragraph two of the Rumanian paper.

MR. MOLOTOV said that he assumed that it had been agreed to eliminate this phrase.

MR. BYRNES said that he had not agreed to eliminate it.

MR. BEVIN said that he had proposed an alternative wording.

MR. MOLOTOV said that he could not agree to this phrase as it was humiliating to the Rumanian Government.

MR. BYRNES pointed out that the first U.S. draft had made specific references to the militia and political police. This had been deleted in favor of the much milder terminology "free from force or intimidation" which Mr. Molotov was now objecting to.

2. BULGARIA

MR. BYRNES said that he had made a few changes in the U.S. draft on Bulgaria to bring it into accord with what had been agreed at this meeting concerning Rumania. He assumed that it was desirable to use substantially the same language in both cases. (Enclosure no. 1).

MR. MOLOTOV said that the Soviet draft on Bulgaria reflected the same idea as that which was now being presented by Mr. Byrnes and inquired why the Soviet draft was not, therefore, acceptable.⁷⁹

⁷⁹ Reference here is to the memorandum by the Soviet delegation included as enclosure 5 to the United States delegation minutes of the Informal Meeting of December 24, 3 : 15 p. m., p. 772.

MR. BYRNES replied that this was because the draft he was now presenting fully reflected the conversation which he had with Generalissimo Stalin. It embodied the language of the Soviet paper down to the middle of paragraph one, beyond which point it followed the Rumanian proposals as agreed upon today. However, it did not include after the word "suitable," the phrase "for this purpose on account of past political activities."

3. RUMANIA

Returning to the Rumanian question, MR. MOLOTOV said that he would agree to delete the phrase "past political activities" provided that Mr. Byrnes would agree to delete the word "properly" in the last paragraph. The word "present" would be deleted from the phrase "present government." At the same time, Mr. Molotov insisted that the phrase "free from force or intimidation" be deleted.

MR. BYRNES inquired, in connection with the use of the term "properly", whether Mr. Molotov wished the action of the Commission to be final.

MR. MOLOTOV replied that he did not. He said that the Commission could not itself recognize a government.

MR. BYRNES said that was his position.

MR. MOLOTOV stated that the governments, nevertheless, assumed a moral obligation in sending the Commission.

MR. BYRNES agreed that there was a moral obligation, but stated that this was not a binding obligation. He inquired whether the Commission's report would be unanimous.

MR. MOLOTOV said that it would.

MR. BYRNES said that he wished to make it certain that only the United States Government had the right to recognize another government. He wished to make the following statement for the record: The question whether these tasks are accomplished and the assurances received is a question for the decision of the United States Government, which always reserves the right to recognize another government.

MR. MOLOTOV said that this did not mean that in signing the agreement the Government was not assuming an obligation. It assumed an obligation by sending a Commission.

MR. BYRNES stated there was a difference between a moral and legal obligation. He said that further, having made the above statement for the record, he would agree to Mr. Molotov's proposal.

MR. MOLOTOV inquired whether the Rumanian text had been agreed upon in full.

MR. BYRNES replied that it had but with the understanding which he had just formulated.

MR. MOLOTOV reread the portion of paragraph one as proposed by Mr. Bevin with the changes agreed to: "The King should be advised that one member of the National Peasant Party and one member of the Liberal Party should be included in the Government. The Commission shall satisfy itself that (a) they are truly representative members of the groups of parties not represented in the Government; (b) they are suitable and will work loyally with the Government."

MR. Molotov said that he understood the phrase "free from force or intimidation" was to be eliminated from paragraph 2.

4. BULGARIA

MR. MOLOTOV said that the Bulgarian draft proposed by Mr. Byrnes was acceptable. A modification would be made along the lines of that which had been made in the Rumanian draft so that the text would read: "one member of the Agrarian Party and one member of the Social Democratic Party".

MR. BYRNES said that there was a difference between the situations in Rumania and Bulgaria. In Rumania there would be a Commission, whereas Bulgaria would merely receive the "friendly advice" of the Soviet Union. It was, therefore, essential to include, as in the United States draft, "as soon as the Governments of the United States and the United Kingdom are satisfied that this friendly advice has resulted——"

MR. MOLOTOV said that the Bulgarian situation, of course, differed from the Rumanian. Elections had been held in Bulgaria. Moreover, there was a Parliament in Bulgaria, but not one in Rumania. The Soviet text made allowance for Mr. Byrnes' considerations. According to this text, if the friendly advice should be accepted by the Bulgarian Government and the additional representatives included, then the Bulgarian Government would be recognized.

MR. BEVIN raised the point that the Soviet draft on Bulgaria should read "will recognize the Bulgarian Government" rather than "will establish diplomatic relations with the Bulgarian Government". Diplomatic relations could not be established until the peace treaty had been concluded. Moreover, this would make the Bulgarian text correspond with the Rumanian text.

MR. MOLOTOV agreed to this.

MR. BEVIN went on to say that the important point was that the draft should read "as soon as the Governments of the United States and United Kingdom are satisfied", etc. He said that Mr. Byrnes' draft met this requirement, safeguarding the position of the Governments. This was good wording.

MR. MOLOTOV said that no one could restrict the rights of a government. But there was no reason to write an agreement if governments were not going to be committed thereby to some action.

MR. BYRNES suggested the wording "just as soon as we are satisfied that this friendly advice has been taken", et cetera.

MR. MOLOTOV replied that it would be sufficiently definite to say "if this friendly advice is adopted" in accordance with the Soviet draft.

MR. BYRNES suggested that the words might be used: "if this friendly advice has been accepted and acted upon".

MR. MOLOTOV proposed the following wording: "If this friendly advice has been taken by the Bulgarian Government and after the said additional representatives have been included in the Bulgarian Government, the Governments of the United States and the United Kingdom will recognize the Government of Bulgaria."

MR. BYRNES pointed out that there would be no Commission in Bulgaria. He said that Mr. Molotov's wording left open the possibility of future argument. He agreed that there was a moral obligation assumed in the appointing of the Commission. But there would be no Commission in Bulgaria. If the Soviet Government believed that its friendly advice had been accepted, it would expect immediate recognition of Bulgaria from the United States and Great Britain. However, if the United States Government did not believe this, it would not be in a position to recognize the Bulgarian Government. Therefore the line should read in accordance with the United States draft.

MR. BYRNES said that he hoped that no such issue would arise. But he did not wish to do anything which might be a source of controversy between the governments.

MR. MOLOTOV said that Mr. Byrnes had not requested that a Commission function in Bulgaria. However, there was one way in which the proposed action in Bulgaria differed from that in Rumania. The Bulgarian solution involved the intervention of the Soviet Government by agreement with the other two Governments. The Soviet Government would accomplish in Bulgaria what the Commission would accomplish in Rumania. If this were accomplished, the Governments of the United States and the United Kingdom would be morally obliged to recognize the Bulgarian Government. Otherwise it would be embarrassing to both the Bulgarian and Soviet Governments. This is what Mr. Byrnes had proposed.

MR. BYRNES stated that he had never made any such proposal. He had proposed that the Soviet Government should tender friendly advice to the Bulgarian Government, but he had not agreed that the United States Government would take action toward recognizing the

Bulgarian Government on the basis of Soviet friendly advice in the same manner as it would act upon the work of the Commission in Rumania.

MR. MOLOTOV said that the two situations amounted to the same thing.

MR. BYRNES said that there was no issue regarding the advice. The issue would be whether the Bulgarian Government accepted the advice.

MR. MOLOTOV said that the Soviet draft provided for this by the language "if this friendly advice is adopted".

MR. BYRNES inquired as to who would decide whether the Bulgarian Government had adopted the advice.

MR. MOLOTOV replied that only the United States Government could decide this.

MR. BYRNES stated that this was all he had wished to register.

MR. MOLOTOV said that in signing an agreement to the effect that the advice had been accepted, the United States Government would be assuming a moral obligation as in Rumania.

MR. BYRNES said that Generalissimo Stalin had said in his conversation that in view of the Bulgarian elections there was nothing which he could properly do beyond offering "friendly advice" to Bulgaria. Generalissimo Stalin had said that he would be willing to do this. Mr. Byrnes had expressed his full satisfaction. However, Mr. Molotov's draft omitted the important point that the United States Government would have to determine for itself whether the Bulgarian Government had or had not accepted the advice, whether it had accepted it *in toto* or in part.

MR. MOLOTOV replied that the United States Government would recognize the Bulgarian Government provided the conditions of the agreement were fulfilled. Therefore what was the purpose of formulating this explicitly?

MR. BYRNES replied that this very discussion showed the wisdom of doing so.

MR. MOLOTOV said that the Soviet Government could not permit itself to be in the position implied by Mr. Byrnes' draft. He said that the tendering of friendly advice would not be a separate act on the part of the Soviet Government. The other Governments would also be involved in obligations. However, if the Bulgarian Government did not adopt the advice, then the United States Government would not face any commitments.

MR. BEVIN inquired whether it would be the Bulgarian Government which would satisfy the Governments of the United States and the United Kingdom that the advice had been adopted.

MR. BYRNES proposed to use the wording: "Whenever the Bulgarian Government has satisfied the Governments of the United States and the United Kingdom that the advice has been adopted."

MR. MOLOTOV said he could not accept this. It created a new condition in addition to what the Bulgarian Government was already expected to fulfill. He had not accepted a similar reservation in regard to Rumania.

MR. BYRNES stated that the Bulgarian Government might appoint representatives who were not really representative of their own parties. The Bulgarian Government might say, however, that these appointments were truly representative. The United States Government might believe otherwise. Perhaps even the Soviet Government would believe otherwise. Would it be left wholly up to the Bulgarian Government to see that the advice had been adopted, with the three Governments having nothing to say about this?

MR. MOLOTOV proposed to pass on to the next question.

5. IRAN

MR. BEVIN took up the Soviet proposed amendments (enclosure no. 2) to the British draft on Iran. He accepted the Soviet amendment no. 1, regarding the heading of the draft. Mr. Bevin wished, however, to amend the preamble as follows, taking the wording of the Soviet amendment no. 2 as the basis: "The Governments of Great Britain, the U.S.S.R., and U.S.A. have agreed on the formation of a Tripartite Commission for Iranian questions and are submitting this agreement to the Iranian Government for their concurrence." Mr. Bevin wished the draft to read in this way so as not to give rise to the impression that the three Governments were taking action over the head of the Iranian Government.

Mr. Bevin proposed to delete the phrase "as far as possible" from the second paragraph as formulated in the Soviet amendment no. 3. He further stated that he wished to insert the date at which it had been agreed that the Allied troops would be removed from Iran in order to eliminate the possibility of any misunderstanding on this score.

MR. MOLOTOV said that the Soviet Delegation considered the phrase "as far as possible" to be necessary. He said that it was now winter time. Mr. Molotov did not agree to the insertion of the date March 2 since this date had already been agreed upon.

MR. BEVIN consented to this but inquired why Mr. Molotov insisted upon the phrase "as far as possible."

MR. MOLOTOV replied that this was owing to the winter season. He said that it would be up to the Commission to determine this point.

MR. BEVIN agreed.

MR. BYRNES said that he would agree to leaving out the date March 2 but that in that event the phrase "as far as possible" should not be included.

MR. MOLOTOV said that the use of this phrase would avoid the impression that the troops might be removed in a period of two weeks.

MR. BEVIN stated that in any event there could be some troop removals.

MR. BYRNES said that the phrase "as far as possible" was superfluous since the Commission "would naturally accelerate the withdrawal of troops as far as possible.

MR. MOLOTOV said that the phrase was necessary in order to avoid false impressions.

MR. BEVIN suggested the phrase "maximum possible acceleration."

MR. MOLOTOV inquired whether that meant that the troops would be withdrawn in five days.

MR. BEVIN said that probably some would be withdrawn in that time.

MR. MOLOTOV recalled the language of the United States draft regarding the withdrawal from China.⁸⁰ He said that in Iran just as in China no impossible demands should be put forward.

MR. BYRNES pointed out that there was no relation between the situation in China, where the Government had requested the Allies to remain, and Iran, where the Government had asked the Allies to withdraw.

MR. MOLOTOV said that the Soviet Union had two treaties with Iran.

MR. BYRNES replied that the Iranian Government was saying that the treaties were not being carried out.

MR. MOLOTOV said that the texts of these treaties were common knowledge.

MR. BEVIN had no objection to Soviet amendment no. 4 substituting "provinces" for "districts" in the second line of the first sentence of paragraph 4 of the British draft. However, Mr. Bevin objected to the phrase "free use" in Soviet amendment no. 5. He wished to use the language of the British draft on this point since the national language in Iran was Persian just as the national language in the Soviet Union was Russian. The wording of the Soviet amendment implied that the local languages ranked equally with the Persian national language.

MR. MOLOTOV said that Russian was not the national language of the U.S.S.R. Each Union Republic had its own national language.

MR. BEVIN said that he wished to safeguard Persia's national position. He said it would be a mistake to refer to Iranian languages other than Persian as "national languages." Mr. Bevin objected to

⁸⁰ Apparently reference is to the United States delegation memorandum regarding the American Marines in China, included as enclosure 5 to the United States delegation minutes of the First Formal Session, December 16, p. 628.

the phrase "national minorities." He suggested the wording "the use of racial or non-Persian languages" as a substitute for "free use of the languages of national minorities" as contained in the Soviet amendment no. 5. The concrete details could be decided by the Commission.

MR. MOLOTOV said that the phrase "free use" should be employed.

MR. BEVIN said that according to his information the wording of the Soviet draft at this point would cause trouble with the Persians. Mr. Bevin did not wish to submit a draft which would cause difficulties. He believed that the phrase "right to use non-Persian languages" solved the problem.

MR. MOLOTOV pointed out that such a phrase might be taken to mean the French or Russian languages, et cetera, which were also non-Persian languages.

MR. BEVIN said that it might read "local non-Persian languages."

MR. BYRNES suggested that the Russian text might read "national minorities" and the English text "minorities."

MR. MOLOTOV said that the word "free" should remain.

MR. BEVIN returned to his proposal to use the wording "maximum possible acceleration." He was afraid that Mr. Molotov's wording would imply undue delay.

MR. BYRNES said that he would accept Mr. Bevin's wording on this point as a compromise.

MR. MOLOTOV said that he could not accept wording which would create a false impression. Winter continued to prevail in Persia. The Commission itself would consider this matter.

MR. BEVIN said that his wording implied that the troops would begin to move out, that Iranian sovereignty would function, and that the world would acquire new confidence. Mr. Bevin would like to dispel popular misgiving which had arisen concerning the situation in Iran.

MR. MOLOTOV suggested that the Iranian question be postponed. He pointed out that this question was not on the agenda.

MR. BEVIN said that if the question was not decided at the present conference, it might be raised at the meeting of the United Nations. Mr. Bevin was very anxious to resolve the question at this conference.

MR. MOLOTOV complained that Mr. Bevin wished his draft to be accepted without any alterations.

MR. BYRNES suggested that the Iranian question be reexamined at tomorrow's meeting.

MR. BEVIN, in response to a question from Mr. Molotov, said that he would circulate a British reply on Austria at tomorrow's meeting.

He said, however, that he could not discuss the question of the German fleet at the present conference. He did not have the particulars on the subject and would have to study it.

MR. MOLOTOV circulated papers on the German fleet and the repatriation of Soviet citizens (Enclosures No. 3 and No. 4).

[Enclosure 1]

*Memorandum by the United States Delegation at the Moscow
Conference of Foreign Ministers*

Moscow, December 25, 1945.

BULGARIA

It is understood by the three Governments that the Soviet Government will undertake to extend friendly advice to the Bulgarian Government now being formed as to the desirability of including within the Bulgarian Government of the Fatherland Front an additional two members of the Agrarian and Social Democratic Parties who are truly representative of the groups in those parties not represented in the Government, who are suitable and will work loyally with the Government.

As soon as the Governments of the United States and the United Kingdom are satisfied that this friendly advice has resulted in the broadening of the base of the newly formed Bulgarian Government as above contemplated, the Government of Bulgaria, with which the Soviet Government maintains diplomatic relations, will be recognized by the Governments of the United States and the United Kingdom.

[Enclosure 2]

*Memorandum by the Soviet Delegation at the Moscow Conference of
Foreign Ministers*

Moscow, December 25, 1945.

The Soviet Delegation proposes to introduce into the draft on the question of the competence of the Tripartite Commission on Iran ⁸¹ the following amendments:

1. The heading to read as follows: "On the Tripartite Commission for Iranian questions."

⁸¹ Presumably reference here is to the memorandum by the United Kingdom delegation regarding suggested draft terms of reference for a tripartite commission on Iran, included as enclosure 3 to the United States delegation minutes of the Informal Meeting of December 24, 3: 15 p. m., p. 771.

2. The draft to begin with the following introductory sentence: "The Governments of Great Britain, the U.S.S.R. and U.S.A. have agreed on the formation of a Tripartite Commission for Iranian questions."

3. Second paragraph to read thus:

"With a view to removing the apprehensions of the Iranian Government and causes of international friction, the Commission shall deal with the question of the acceleration, as far as possible, of the withdrawal of Allied troops from Iran and make corresponding recommendations to the Governments of the Three Powers."

4. In paragraph 5 for "certain districts of the country" read "certain provinces of the country".

5. Paragraph 7 to read as follows:

"The Commission shall also make recommendations concerning the free use of the languages of national minorities, such as Arabic, Turki, Kurdish, for purposes of education etc."

[Enclosure 3]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 25, 1945.

RECOMMENDATIONS OF THE MEETING OF THE THREE MINISTERS OF FOREIGN AFFAIRS TO THE TRIPARTITE COMMISSION ON THE DIVISION OF THE GERMAN FLEET AND MERCHANT MARINE

The meeting of the three Ministers notes with satisfaction that the Tripartite Commission on the Division of the German Fleet and Merchant Marine has accomplished a great deal of work on the division of the naval fleet and ocean merchant marine.⁸²

The meeting believes that the aforementioned commission should continue its work in order to carry out the division of the fishing, port, technical and river fleets of Germany.

In connection with this, the meeting of the three Ministers instructs the Tripartite Commission, working under decisions of the Berlin Conference, to carry out the division of the fishing, port, technical and river fleets of Germany, thereupon to present to the Governments of the Union of Soviet Socialist Republics, Great Britain, and the United States of America an account of its work in the execution of the decisions of the Berlin Conference regarding the division of the German fleet and merchant marine.

⁸² For documentation regarding this subject, see vol. III, pp. 1506 ff.

[Enclosure 4]

*Memorandum by the Soviet Delegation at the Moscow Conference of
Foreign Ministers*

Moscow, December 24, 1945.

CONCERNING THE QUESTION OF THE REPATRIATION OF SOVIET CITIZENS

The Soviet Government has studied the directive of the Government of the United States of America to General McNarney and General Clark on the question of repatriation of Soviet citizens⁸³ and considers it necessary to state as follows:

In this directive instructions have been issued which meet the desires of the Soviet Government concerning the acceleration of the repatriation of Soviet citizens. Nevertheless the Soviet Government in certain respects cannot consider this directive satisfactory. The Soviet Government cannot agree to dividing Soviet citizens into citizens who were on the territory of the U.S.S.R. up to September 1, 1939, and citizens who at this time were not on the territory of the U.S.S.R. Such a division is moreover in direct contradiction to the decision of the Yalta Conference, signed by the Chiefs of State of the U.S.A., Great Britain, and the U.S.S.R., according to which the frontier between the U.S.S.R. and Poland follows the Curzon Line, in conformity thereto, an agreement on the Soviet-Polish frontier was concluded between the U.S.S.R. and Poland. The Soviet Government also cannot agree that citizens of the Lithuanian S.S.R., the Latvian S.S.R., and the Estonian S.S.R. should not be regarded as citizens of the Soviet Union.

The Soviet Government takes this occasion, in addition to its memorandum of December 19 on this question,⁸⁴ to set forth information at the disposal of the Soviet repatriation authorities regarding the number of Soviet citizens in British and American camps who are subject to repatriation from Germany, Austria and Italy: there are such citizens in Germany—in the English zone, 112,063; in the American zone, 71,376; in Austria—in the English zone, 16,000; in the American zone, 25,000; in Italy, 35,250.

Therefore the data set forth in the British note of 21 December on the Soviet citizens subject to repatriation from Germany, Austria and Italy is not confirmed by the information at the disposal of the Soviet repatriation authorities.

⁸³ For text of this directive, see the memorandum from the State-War-Navy Coordinating Committee to the Secretary of State, December 21, 1945, vol. v, p. 1108.

⁸⁴ Reference here is to the Soviet memorandum regarding problems of the Allies in relation to Germany, included as subenclosure to enclosure 5 to the United States delegation minutes of the Fifth Formal Session of the Conference, December 20, p. 703.

This communication is made supplementary to the memorandum of the Soviet Delegation of December 19, 1945.

Moscow Embassy Files : 500 Conference of Foreign Ministers

The Secretary of State to the Ambassador in the Soviet Union (Harriman) ⁸⁵

Moscow, December 26, 1945.

DEAR MR. HARRIMAN: In the discussion as to the appointment of the Commission to advise the King of Rumania on the reorganization of Government, it was agreed by the Three Foreign Ministers that instructions should be issued to their representatives on the Commission that in recommending the two representatives of the National Peasant and Liberal Parties the names of Maniu, Bratianu and Lupu should not be included.⁸⁶

You are hereby instructed to comply with this agreement.

Very truly yours,

JAMES F. BYRNES

740.00119 Council/12-2645

United States Delegation Minutes of an Informal Meeting, Conference of Foreign Ministers, Spiridonovka, Moscow, December 26, 1945, 3:20-5:30 p. m.

Present: ⁸⁷

Mr. Molotov
Mr. Vyshinski
Mr. Tsarapkin
Mr. Pavlov

Mr. Byrnes
Ambassador Harriman
Mr. Bohlen

Mr. Bevin
Mr. Cadogan
Ambassador Clark Kerr
Mr. Watson
Mr. McAfee

Subjects: Bulgaria
Iran
Austria
German Vessels
Repatriation of Soviet Citizens

1. BULGARIA

MR. MOLOTOV inquired whether his new draft on Bulgaria had been received (enclosure No. 1). In this draft he had met the wishes of his

⁸⁵ A copy of this letter was apparently transmitted to Foreign Commissar Molotov on December 26.

⁸⁶ For the record of the discussion referred to, see the United States delegation minutes of the Informal Meeting, December 25, 5:15 p. m., p. 781.

⁸⁷ The United Kingdom delegation minutes of this meeting contain a slightly different list of persons present from the one which appears in the United States delegation minutes. For the Soviet Union, Ambassador Gusev is listed as present, but Tsarapkin is omitted. For the United Kingdom, Second Secretary Watson is omitted, but Dixon and Hayter are listed as present.

colleagues with regard to paragraph 2 but had reverted to the wording of the original Soviet draft on paragraph 1.⁸⁸ He stated that he wished the first sentence of paragraph 1 to read that the Soviet Government would assume the "mission" rather than assume the "obligation" as in the draft presented.

MR. BYRNES said that Mr. Molotov's paragraph 2, while not the same as the one which the United States delegation had proposed,⁸⁹ met the argument which he had raised yesterday, but in paragraph 1, the substance of the paper, Mr. Molotov had reverted. Mr. Byrnes thought that it had tentatively been agreed yesterday to accept the first paragraph as finally proposed by the American delegation, based on the language of the Rumanian draft.⁹⁰

MR. MOLOTOV said that the situation in Bulgaria was not similar to the situation in Rumania. In Bulgaria there had been elections. The opposition had boycotted these elections. Therefore the Soviet draft referred to members of the opposition who were loyal to the Government.

MR. BYRNES said that no one was questioning the desirability of including the stipulation that the selected representatives would work loyally with the Government. This had been worked out yesterday and Mr. Byrnes had been under the impression that this wording was acceptable to all.

MR. MOLOTOV said that the Rumanian text as agreed upon yesterday was acceptable. However, the situation in Bulgaria was different from that in Rumania. Mr. Molotov was accepting the United States paragraph 2 in his new Bulgarian draft. However, the wording of paragraph 1 should differ from that of the corresponding portion of the Rumanian draft. There were more reservations in the case of Bulgaria.

MR. BYRNES pointed out that the substance of the agreement was in paragraph 1. He reiterated that there was no doubt as to the desirability of adding two men who would be truly representative of groups not now participating in the Government. Furthermore they should work loyally with the Government. This had been agreed upon after much discussion yesterday. The same thing applied both in Rumania and in Bulgaria, namely, that the men selected must work loyally with the Government. Mr. Byrnes said that he would have to

⁸⁸ Reference here is to the Soviet memorandum on Bulgaria, included as enclosure 5 to the United States delegation minutes of the Informal Meeting of December 24, 3: 15 p. m., p. 772.

⁸⁹ Reference here is to the United States delegation memorandum on Bulgaria, included as enclosure 2 to the United States delegation minutes of the Informal Meeting of December 24, 3: 15 p. m., p. 770.

⁹⁰ For the final agreed wording of the agreement on Rumania, see section V of the Report of the Conference, contained in telegram 4284, December 27, from Moscow, p. 821.

explain to the American people why the United States delegation had adopted the position which it did adopt. This would not be an easy task. But if Mr. Molotov would agree to the language agreed to yesterday afternoon, then it would be possible to make this explanation with some hope that it would be accepted.

MR. MOLOTOV reiterated that there was a difference between Bulgaria and Rumania. He said that the present Soviet draft recognized that the Governments of the United Kingdom and the United States would have to satisfy themselves that the prescribed changes had actually been made. The same point had not been made with regard to Rumania. There was also a substantial difference in the first paragraphs of the Rumanian and Bulgarian documents. A special exchange of letters had been agreed upon in the case of Rumania. No individuals were being specified and no letters exchanged in the case of Bulgaria. Furthermore Rumania had had no elections and had no Parliament. Moreover, the Bulgarian opposition had boycotted the elections. In specifying the qualifications of the persons to be added to the Bulgarian Government these differences should be borne in mind.

MR. BEVIN inquired as to the meaning of the phrase "other democratic groups" in the new Soviet draft.

MR. MOLOTOV replied that this phrase referred to the Agrarian Union and Social Democratic parties, i.e. the Bulgarian opposition.

MR. BYRNES pointed out that paragraph 2 of the Bulgarian document differed from paragraph 2 of the Rumanian document since there would be no Commission in Bulgaria. However, there was no justification of distinguishing between Rumania and Bulgaria as regards the qualifications of the men to be added to the Governments. In both cases the men would be members of opposition parties not now participating in the Government. It would create misapprehension, however, merely to say "opposition parties" in the Bulgarian document. The American people would suppose that an "opposition party" would not amount to very much. In order to avoid this impression the language should refer to the Agrarian and Social Democratic parties specifically.

With regard to the question of loyalty to the Government, Mr. Byrnes stated that Generalissimo Stalin had cited the very good analogy of the position of Mr. Dewey in the United States. Dewey had merely declared that he would work loyally with the Government. This statement had been referred to by Generalissimo Stalin and then agreed upon as text. Dewey had not stated his loyalty to the Democratic Party. Mr. Byrnes called upon Mr. Molotov to agree that the Bulgarian paragraph 1 should specify, just as did the Rumanian document, the qualifications of the men to be chosen.

MR. MOLOTOV reiterated that according to paragraph 2 of the Soviet draft the Governments of the United States and the United Kingdom would not recognize the Bulgarian Government unless satisfied that the prescribed changes had taken place.

MR. BYRNES replied that in Rumania the new candidates would be selected by the Commission, which would determine their qualifications. In Bulgaria this would be left up to the Bulgarian Government. Accordingly, it was all the more important to spell out the qualifications in the document.

MR. BEVIN suggested the wording: "an additional two members truly representative of the other democratic groups from among representatives of the opposition who will work loyally in the Bulgarian Government". In addition he proposed that the word "suitable" should precede the word "additional" in the second paragraph.

MR. MOLOTOV said that a more "flexible" formula was desirable. This was supplied by the Soviet wording "loyal representatives of the opposition".

MR. BYRNES pointed out that the Bulgarian document did not refer to the assurances of the democratic freedoms which were mentioned in the Rumanian document. Mr. Byrnes would have liked to include such assurances. The first paragraph of the Bulgarian document should be similar to the first paragraph of the Rumanian document in order that the American people might be convinced that this was a fair and just agreement.

MR. MOLOTOV said that he had conceded paragraph 2 to Mr. Byrnes and asked that the Soviet language be accepted in paragraph 1.

MR. BYRNES proposed to take the United States language in paragraph 1 and return to the original Soviet language in paragraph 2.

MR. MOLOTOV replied that he had no objection to reverting to the previous Soviet paragraph 2. But it would be necessary to refer to "loyal members of the opposition" in paragraph 1.

MR. BYRNES again referred to the example of Dewey and said that Mr. Molotov should agree to this as expounded by Generalissimo Stalin. Dewey had declared after the elections that he would work loyally with the Government. That is all that should be required here. It would be difficult to find a true leader of one party who had worked loyally for a party which he had opposed, i.e., a man loyal to his opponents.

MR. MOLOTOV said that the Soviet Government could not tender to Bulgaria the advice which Mr. Byrnes proposed.

MR. BEVIN inquired what Mr. Molotov meant by a "loyal member of the opposition".

MR. MOLOTOV replied that by this he meant a person whose relations with the Government had not deteriorated so far that he could no

longer work with the Government. Such a person could, however, belong to the opposition. It would not mean that such a person had participated in the boycott since the whole opposition had participated in the boycott. However, there are differences among various persons who had participated in the boycott. It was a question of personalities.

2. IRAN ⁹¹

MR. MOLOTOV stated that nothing had come of the Iranian discussions and that they should be dropped.

MR. BEVIN inquired whether that was the Soviet Government's decision.

MR. MOLOTOV replied that this was the fact of the matter. He added that Iran was not on the agenda.

MR. BYRNES said that Iran had been on the agenda as enumerated the first day.

MR. MOLOTOV recalled that Iran had been stricken from the agenda by agreement.

MR. BYRNES said this was correct but it had also been agreed to discuss Iran.

MR. MOLOTOV said that Iran had been discussed. Mr. Molotov inquired whether the delegates wished to discuss the Soviet papers on Austria and Germany.

MR. BEVIN pointed out that Austria and Germany were in the same position as Iran. These questions were not on the agenda.

MR. MOLOTOV said that there had been a lot of discussion on Iran but no settlement.

MR. BYRNES said that there would never be a time when all questions could be settled. Since many questions had been disposed of and the conference could not remain in session indefinitely, he proposed that the delegates proceed to consideration of the communiqué and protocol. The delegates would be together again in January.

MR. MOLOTOV remarked that Mr. Vyshinski would be the Soviet representative at the United Nations Conference.

⁹¹ Despatch 2337, January 5, 1946, from Moscow, transmitted to the Department as enclosure 12 a record of a conversation between Mr. Bevin and M. Molotov on December 26 regarding Iran. In commenting upon the record, the despatch reported that the meeting took place following an unsuccessful attempt by Mr. Bevin, at the suggestion of Secretary Byrnes, to arrange a third interview with Stalin. The despatch also reported that Mr. Bevin held still another private conversation with Molotov regarding Iran in the early afternoon of December 26, just before the informal session of the Conference at 3:20 p. m. According to the information available to the United States delegation at Moscow, it was at this later conversation that Molotov first expressed his disinclination to continue discussion of the British proposal for a tripartite commission on Iran. The despatch also reported that Secretary Byrnes also had one or two short private conversations with Molotov during the evening of December 26 and spoke of Iranian problems, but that no records of such conversations had been made. (740.00119 Council/1-346)

MR. BYRNES said that he wished to conclude the good work which the conference had accomplished. He did not wish to jeopardize this by attempting to take up all questions at issue. He therefore proposed that the delegates conclude work on the questions which had been settled and then exchange opinions on points outstanding.

MR. MOLOTOV said that if Mr. Byrnes and Mr. Bevin did not wish to deal with remaining questions, he could but concur. However, there were three further questions which he would like to discuss: (1) the Soviet draft on Austria,⁹² (2) the Soviet draft on the German fleet,⁹³ and (3) the Soviet draft on the repatriation of Soviet citizens.⁹⁴ With regard to the latter, Mr. Molotov stated that this was a very sore question for the Soviet Union and that it would be well to make some progress on it.

3. AUSTRIA

MR. BEVIN stated that he had no objection to publishing the Soviet memorandum on Austria in the conference protocol, together with the reply which he had prepared. Mr. Bevin said he was tired of having unfounded charges thrown at the British Government. These did not help good relations. He was circulating a complete reply which refuted the allegations made in the Soviet paper. (Enclosures 2a and 2b.)

4. GERMAN VESSELS

With regard to the question raised by the Soviet paper on German vessels, Mr. Bevin stated that he would have to study a report of the Tripartite Commission. He could not do that at the present conference. He understood that there were some vessels ready for delivery apart from the disputed craft. He proposed to leave a letter with Mr. Molotov on this subject.

MR. MOLOTOV inquired whether the Tripartite Commission could not be authorized to deal with the question.

MR. BEVIN said that the dispute was one which only the Governments could solve. However, he had no details concerning the dispute. He understood that the dispute was limited to a very small portion of the vessels.

MR. BYRNES said that he did not know the facts in this question but that he had looked up the section of the Berlin agreement bearing on it. He did not understand this proposal to repeal the Berlin decision, which the delegates had no authority to do. Mr. Byrnes read para-

⁹² For the Soviet memorandum on German and other military units in Austria, see enclosure 3 to the United States delegation minutes of the Informal Meeting of December 21, 2:30 p. m., p. 721.

⁹³ For this memorandum, see enclosure 3 to the United States delegation minutes of the Informal Meeting of December 25, 5:15 p. m., p. 799.

⁹⁴ For this memorandum, see enclosure 4 to the minutes cited in previous footnote, p. 800.

graph 4 of the Berlin agreement.⁹⁵ He stated that in conformity with this decision he could only instruct the United States representative on the Allied Control Commission to carry out the decision and report on the progress made. He could ask his representative to take steps to avoid delay.

MR. MOLOTOV inquired whether Mr. Byrnes had meant to imply that types of vessels not specifically mentioned in the Berlin agreement, such as fishing vessels, should be given to Germany.

MR. BEVIN stated that the dispute in the Commission had arisen over the fact that certain technical craft necessary for ports had been claimed by the Russians as a part of the merchant marine, concerning which no agreement had been reached. Mr. Bevin remarked that no statistics had been received from the Soviet Government on the vessels which they had taken from Germany.

MR. MOLOTOV suggested that this question be discussed in the Tripartite Commission. He inquired again whether fishing vessels were to be retained by Germany since they had not been specifically mentioned in the Berlin agreement.

MR. BYRNES replied that the Berlin agreement had commissioned the Allied Control Council to determine which craft were necessary for the German economy and which should be included in the pool for division among the victor powers. He said that he would endeavor to look further into this question.

MR. MOLOTOV said that Mr. Byrnes had correctly read the relevant paragraph of the Berlin agreement. However, did this mean that all vessels not referred to in the agreement were to be retained by Germany? The Soviet Government did not take this view. It followed a liberal rather than a literal interpretation of the Berlin agreement.

MR. MOLOTOV said that the Soviet Government desired to have this question discussed in the Tripartite Commission.

MR. BEVIN said that he could not commit himself before he had received a report.

5. REPATRIATION

MR. BEVIN said that with regard to repatriation, he could not add anything to what he had already said previously. He would like to see this question settled sooner or later. Mr. Bevin had sent the Polish troops back to Poland. The persons sent back had been in the Polish army when he sent them. Mr. Bevin therefore thought he had done his duty with regard to them.

MR. MOLOTOV said that there was no argument between the Soviet Union and Poland since they had an agreement on this question.

⁹⁵ The reference here is presumably to section IV of the Protocol of the Proceedings of the Berlin Conference, *Conference of Berlin (Potsdam)* vol. II, p. 1487.

MR. BEVIN stated that when a general peace conference was called and all frontier questions were settled, such matters as that raised by the Soviet delegation would be settled also, presumably on the basis of option within a certain period of time.

MR. MOLOTOV said that the Soviet Government had a full agreement with the Polish Government with regard to the frontier. He said that the Governments of the United States and the United Kingdom had agreed to this frontier at Yalta.

MR. BEVIN replied that there was a misunderstanding here. The Governments of the United Kingdom and the United States had promised to support the Curzon Line but they had never ratified this and had never been asked to ratify it. They had merely pledged to support it at the peace conference.

MR. MOLOTOV read the relevant section of the Yalta Agreements.⁹⁶

MR. BYRNES pointed out that this section of the Yalta draft had been deliberately altered prior to publication at the initiative of President Roosevelt, who had insisted that it read: "the heads of Government" and not "the Governments" as no President had the juridical right to speak for the Government of the United States. However, there was no reason to believe that the United States Government would not stand by the agreement made by its President.

MR. BEVIN said that his Government accepted the Yalta agreement on this point but that it was necessary to legalize the agreement.

6. IRAN

MR. BEVIN said that he was concerned about the Iranian question. Did the Soviet Government propose not to enter into any understanding regarding the settlement of this problem? Mr. Bevin had discussed this problem with Generalissimo Stalin. Furthermore, he had accepted practically every amendment which the Soviet delegation had proposed to his draft on Iran.

MR. MOLOTOV said that it was sufficient that views had been exchanged. No decisions had been reached. The question was not on the agenda. Accordingly, there was no need to mention it in the communiqué.

MR. BEVIN stated: "What is my next step?"

MR. MOLOTOV replied: "You know that well."

MR. BEVIN replied that he thought he understood the situation and that he regretted it. He had desired to clear up this very awkward situation between the two countries, a situation which had evoked a good deal of feeling.

It was decided to recess the meeting.

⁹⁶ Reference here is to the final paragraph of section VI of the Report of the Crimea Conference, February 11, 1945, *Conferences at Malta and Yalta*, p. 973.

[Enclosure 1]

Memorandum by the Soviet Delegation at the Moscow Conference of Foreign Ministers

Moscow, December 26, 1945.

BULGARIA

It has been settled by the three Governments that the Soviet Government undertakes to give friendly advice to the Bulgarian Government in respect of the desirability of including in the Bulgarian Government of the Fatherland Front, which is now being formed, an additional two members of other democratic groups from among representatives of the opposition who are loyal to the Bulgarian Government.

As soon as the Governments of the U.S.A. and Great Britain are convinced that the friendly advice has been accepted by the Bulgarian Government and the said additional representatives have been included in its body, the British Government and the Government of the United States will recognize the Bulgarian Government, with which the Soviet Government already has diplomatic relations.

[Enclosure 2a]

Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers

GERMAN AND OTHER MILITARY UNITS IN THE BRITISH ZONE OF
OCCUPATION IN GERMANY

1. On December 19th, the Soviet Delegation circulated to the Conference a Paper containing allegations that in the British zone of occupation in Germany, German and other military formations are being kept in existence in a manner which constitutes an infringement of the Allied agreement on the control of Germany.⁹⁷ The demand was made in this Paper that these formations should be disarmed and abolished.

2. The Soviet Paper on Germany made reference to a Memorandum submitted by Marshal Zhukov to the Control Council in Berlin.⁹⁸ It made no reference to the reply made on November 30th by Field Marshal Montgomery, in which he gave full account of the Germans

⁹⁷ Memorandum by the Soviet delegation, December 19, included as a sub-enclosure to enclosure 5 to the minutes of the Fifth Formal Session, December 20, p. 703.

⁹⁸ Regarding Zhukov's note, circulated to the Allied Control Council for Germany at its 12th meeting, November 21, see telegram 1066, November 21, from Berlin, vol. III, p. 852.

held in the British zone, and denied categorically that they were armed.⁹⁹ The repetition by the Soviet Delegation of this allegation after its denial by the British Commander-in-Chief is a reflection on his veracity to which the British Delegation takes strong exception.

3. In discussion of this matter mention was made of the proposal, originally put forward in Berlin by Marshal Zhukov, that a commission of investigation should be sent into the British zone.¹ This proposal, which was accepted by Field Marshal Montgomery on November 30th on the condition that the Commission should investigate all four zones, was agreed to here by the British Delegation on the same condition.

4. On December 21st, the Soviet Delegation stated that they had heard from Berlin that this matter had been satisfactorily settled at the meeting of the Control Council the day before, and that in consequence they withdrew their proposal for a Commission. On the assumption that this statement constitutes a withdrawal of the whole accusation, the British Delegation are prepared to accept it, and to let the matter drop.

5. The proposal was made by Field Marshal Montgomery at the meeting of the Control Council in Berlin on November 30th that in future all questions of administration in which the Control Council can properly take an interest, and upon which information is required by the Council, should be dealt with by the appointment of a Commission which in all cases would be free to visit each of the four zones. I support this proposal, and commend it to my colleagues. In this manner the putting forward of allegations based upon incorrect information would be avoided.

ERNEST BEVIN

Moscow, December 24, 1945.

[Enclosure 2b]

Memorandum by the United Kingdom Delegation at the Moscow Conference of Foreign Ministers

GERMAN AND OTHER MILITARY UNITS IN AUSTRIA

1. In a Memorandum dated December 22nd, the Soviet Delegation circulated to the Conference a number of allegations relating to the British zone in Austria suggesting that the British authorities in Austria are deliberately creating an Austrian Army, and retaining in

⁹⁹ Regarding Montgomery's report, made during the 13th meeting of the Allied Control Council for Germany, November 30, see telegram 1154, December 1, from Berlin, vol. III, p. 854.

¹ Presumably the discussion here referred to was that of the Informal Meeting of December 21, 2 : 30 p. m. ; for the minutes, see p. 710.

existence various Corps organized by the Germans from Nationals of other States, and that all these formations are armed.² These allegations, which are entirely without foundation, are categorically rejected. They display a distrust on the part of the Soviet Government which is deeply resented by the United Kingdom Delegation. The United Kingdom Delegation can only conclude that the Soviet authorities in Austria have listened to fictitious tales maliciously recounted to them by persons desirous of creating suspicion and ill-feeling between the Allies.

2. The United Kingdom Delegation are the more surprised at the action of the Soviet Delegation in circulating their memorandum in that reports from Vienna show that the whole question of Austrian Military activities has been exhaustively discussed in the Military Division of the Control Commission to the satisfaction of all parties, and that in order to remove any remaining uncertainty a quadripartite Commission of investigation has been set up by the Allied Council to visit all zones and study the whole question on the ground.

3. The United Kingdom Delegation consider it important that there should be an end to allegations of this kind made by one Ally against another. It is for this reason that they support the proposal that if there is any matter on which information is required by the Control Councils in either Austria or Germany, the Control Council in question should set up a Commission to establish the facts. Any Commission appointed in this manner should visit all zones, so that complete information can be obtained, and all grounds for suspicion removed.

Moscow, December 25, 1945.

[According to the United Kingdom delegation minutes of the Informal Meeting of the afternoon of December 26, the meeting was resumed at 11 p. m. of the same day, at which time the Foreign Ministers had before them the drafts of the Communiqué prepared by the Drafting Committee. (The final agreed text of the Communiqué of the Conference is quoted in telegram 4284, December 27, from Moscow, printed on page 815. The Protocol (Report) and Communiqué are also printed in Department of State *Bulletin*, December 30, 1945, page 1027.) A discussion followed regarding the sections of the draft which concerned China. The United Kingdom delegation record of the discussion is as follows:

“M. MOLOTOV desired to see a reference in the text to ‘other organs of authority.’”

² Presumably reference is to the Soviet memorandum of December 21, included as enclosure 3 to the minutes of the Informal Meeting of December 21, 2 : 30 p. m., p. 721.

"MR. BEVIN found it impossible, in the absence of a representative of China, to agree to reference being made to anything but the Cabinet.

"MR. BYRNES explained that he had asked General Marshall to bring pressure to bear on both factions to secure agreement, and had impressed on him that Marshal [*Generalissimo*] Chiang Kai-shek should not be allowed to believe that he would receive support in all circumstances, whether he was right or wrong. His suggestion was to add a phrase to the effect: '. . . the broad participation of democratic elements in the National Government.'

"(At this stage the Foreign Ministers' staffs were asked to leave the room.)

"He could, in confidence, inform his colleagues that instructions had been given to all United States Government Departments to withhold all facilities (loans, &c.) so as to ensure that Generalissimo Chiang Kai-shek would make a real effort to help himself. There had previously been straight talk between General Marshall and the Generalissimo as to what the latter could or could not do, but President Truman and Mr. Byrnes himself had now urged General Marshall to let bygones be bygones and give due respect to the Generalissimo's susceptibilities. Therefore, nothing should now be done which would hamper or handicap the General in the efforts he was now making to secure unity of action in China.

"The Parties then proceeded to discuss the wording proposed by Mr. Cohen, the United States representative on the Protocol Committee, referring to the broadening of the National Government by the introduction of democratic elements.

"MR. BEVIN wanted to know what was meant by 'democratic elements.'

"MR. MOLOTOV preferred the Soviet wording: '. . . broad participation of democratic elements in the National Government and its other central and local organs.'

"MR. BYRNES suggested saying, 'all branches of the central government.'

"MR. BEVIN objected to these suggested additions and insisted that as he had only half an hour previously seen the text under discussion he must have time to consider it and propose amendments. It was the first time he had heard of any proposal to amplify the reference to the 'National Government.'

"After a further exchange of views, in the course of which it became clear that M. MOLOTOV wished to have a form of words which would cover not only the Government but also the existing Constituent Assembly, it was finally agreed to insert the following words: '. . . the need for broad participation by democratic elements in all branches of the National Government.' "

After an exchange between Bevin and Molotov regarding the conditions in the British zones of occupation in Austria and Germany, the Foreign Ministers accepted Secretary Byrnes' suggestion that since agreement had been achieved on one subject there was no need to prolong discussions on topics on which there was disagreement. (740.00119 Council/1-2346)]

740.00119 Council/12-2645

*United States Delegation Minutes of the Seventh Formal Session of the Conference of Foreign Ministers, Spiridonovka, Moscow, December 26, 1945, 11 p. m.*³

Present: Mr. Molotov, Commissar for Foreign Affairs
Mr. Vyshinski, Vice Commissar for Foreign Affairs
Mr. Gusev, Soviet Ambassador to London
Mr. Malik, Soviet Ambassador to Tokyo
Mr. Tsarapkin, Chief, American Section, NKID
Mr. Pavlov, Interpreter
Mr. Byrnes, Secretary of State
Mr. Harriman, American Ambassador to Moscow
Mr. Cohen, Counselor of Department of State
Dr. Conant, President of Harvard University
Mr. Matthews, Director, Office of European Affairs
Mr. Vincent, Director, Office of Far Eastern Affairs
Mr. Bohlen, Assistant to the Secretary
Mr. Bevin, Minister for Foreign Affairs
Sir A. Cadogan, Under Secretary of State
Sir Archibald Clark Kerr, British Ambassador to Moscow
Sir R. Campbell, Ambassador
Mr. Sterndale Bennett, Counselor, Far Eastern Department
Mr. McAfee, Interpreter

Subjects: Bulgarian Document
Signing of Protocol

The Delegates assembled to sign the Protocol.

There was a delay and Mr. Molotov explained that his people had "by mistake" included the Bulgarian document in the Protocol. He stated that they had included the Bulgarian document in the Soviet version. Mr. Molotov inquired whether something along those lines could not be included in the Protocol after all.⁴

³ The United Kingdom delegation minutes of this meeting records the time of the beginning of the meeting at 1 a. m., December 27. Regarding the meeting of the Foreign Ministers at 11 p. m., December 26, see bracketed note, *supra*.

For Byrnes' account of this meeting, see *Speaking Frankly*, p. 121; in this description, the time of the meeting is set at 2:30 a. m., December 27.

⁴ According to the United Kingdom delegation minutes of this meeting, it had been understood by the British and United States delegations that the business of the meeting would be confined to the signing of the agreed Report and Communiqué which omitted any reference to Bulgaria, upon which no agreement had been reached. After the English language texts had actually been examined and signed by the Secretary of State and Foreign Secretary Bevin, it was found that the Russian language texts were still not ready. When, after an interval, the Russian texts were brought to the conference table, Molotov examined them and said "with a broad smile" that the delay could be explained by the fact that the Russian typists had inserted sections on Bulgaria into the Report and the Communiqué. Molotov hoped that such good work would not be wasted and that the documents would be signed as they were, including the sections on Bulgaria. (740.00119 Council/1-2346)

MR. BEVIN and MR. BYRNES indicated that a Bulgarian document along the lines of the Soviet version would be unacceptable.

MR. MOLOTOV said that in that case he proposed the adoption of a draft consisting of the first paragraph in the version presented by the United States Delegation today and a second paragraph in the version presented by the Soviet Delegation yesterday.

In the subsequent discussion MR. BYRNES appealed to Mr. Molotov to accept the version of paragraph 2 which had been presented by the United States Delegation in its draft.

MR. MOLOTOV agreed to this proposal. He said that this would confer a good concluding note on the conference. The delegates agreed to the Bulgarian document (see communiqué) on this basis.

MR. BEVIN inquired whether Mr. Molotov wished similarly to reconsider the Iran question.

MR. MOLOTOV said that there was nothing with regard to Iran which would be suitable for the communiqué.

After a recess, the delegates reassembled in a final formal session and signed the protocol at 3:30 a. m., December 27.

740.00119 Council/1-346

The British Secretary of State for Foreign Affairs (Bevin) to the Soviet People's Commissar for Foreign Affairs (Molotov) ⁵

Moscow, December 27, 1945.

It has been a great disappointment to me that after my friendly exchange of views with the Generalissimo we have been unable to come to a final agreement about the treatment of Iranian questions, and I am sure that my Government will be equally disappointed. However, I will report to them fully the exchange of views that has taken place and the amendments to my proposals which you suggested and I accepted.

I feel that it would not be right to keep the Iranian Government uninformed and I am therefore instructing Sir. R. Bullard to acquaint them with the course of our conversations in Moscow and the proposals which were submitted for their views.

I have informed Mr. Byrnes of the contents of this letter, who is advising his representative in Tehran in a similar sense.

E. BEVIN

⁵ Copy transmitted to the Department as an enclosure to despatch 2337, January 3, 1946, from Moscow. According to the despatch, this letter, which was drafted by Bevin on the night of December 26, was shown to Byrnes, who agreed to the final paragraph.

740.00119 Council/12-2745 : Telegram

*The Ambassador in the Soviet Union (Harriman) to the Acting Secretary of State*⁷

Moscow, December 27, 1945—3 a. m.

[Received 7:30 a. m.]

4284. The communiqué agreed to at the Moscow Conference will be issued for release at 10 p. m. Washington time, Thursday, December 27, and simultaneously in the other two capitals; i.e., 3 a. m., December 28 in London, and 6 a. m. in Moscow.

The text of the communiqué follows:

COMMUNiqué ON THE MOSCOW CONFERENCE OF THE THREE
FOREIGN MINISTERS

The Foreign Ministers of the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America met in Moscow from December 16 to December 26, 1945, in accordance with the decision of the Crimea Conference, confirmed at the Berlin Conference, that there should be periodic consultation between them. At the meetings of the three Foreign Ministers, discussions took place on an informal and exploratory basis and agreement was reached on the following questions:

REPORT OF THE MEETING OF THE MINISTERS OF FOREIGN AFFAIRS OF
THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED STATES
OF AMERICA, THE UNITED KINGDOM

At the meeting which took place in Moscow from December 16 to December 26, 1945 of the Ministers of Foreign Affairs of the Union of Soviet Socialist Republics, the United States of America and the United Kingdom, agreement was reached on the following questions:

I. PREPARATION OF PEACE TREATIES WITH ITALY, RUMANIA, BULGARIA,
HUNGARY AND FINLAND

As announced on the 24th of December 1945, the Governments of the Soviet Union, the United Kingdom and the United States have agreed and have requested the adherence of the Governments of France and China to the following procedure with respect to the preparation of peace treaties:

1. In the drawing up by the Council of Foreign Ministers of treaties of peace with Italy, Rumania, Bulgaria, Hungary, Finland, only

⁷ The circumstances of the transmission of this telegram are described in Byrnes, *All in One Lifetime*, p. 342. A marginal notation on a copy of this telegram indicates that the press release, which was worked out on the basis of the telegram, was sent to the White House at 5:05 p. m., December 27, and was thence relayed to the President in Missouri. For text of the press release, see Department of State *Bulletin*, December 30, 1945, p. 1027.

members of the Council who are, or under the terms of the agreement establishing the Council of Foreign Ministers adopted at the Berlin Conference are deemed to be, signatory of the surrender terms, will participate, unless and until the Council takes further action under the agreement to invite other members of the Council to participate on questions directly concerning them. That is to say:

(a) The terms of the peace treaty with Italy will be drafted by the Foreign Ministers of the United Kingdom, the United States, the Soviet Union and France;

(b) The terms of the peace treaties with Rumania, Bulgaria, and Hungary by the Foreign Ministers of the Soviet Union, the United States and the United Kingdom;

(c) The terms of the peace treaty with Finland by the Foreign Ministers of the Soviet Union and the United Kingdom.

The deputies of the Foreign Ministers will immediately resume their work in London on the basis of understandings reached on the questions discussed at the first plenary session of the Council of Foreign Ministers in London.

2. When the preparation of all these drafts has been completed, the Council of Foreign Ministers will convoke a conference for the purpose of considering treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland. The Conference will consist of the five members of the Council of Foreign Ministers together with all members of the United Nations which actively waged war with substantial military force against European enemy states, namely: Union of Soviet Socialist Republics, United Kingdom, United States of America, China, France, Australia, Belgium, Byelo-Russian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, the Netherlands, New Zealand, Norway, Poland, Union of South Africa, Yugoslavia, Ukrainian Soviet Socialist Republic. The conference will be held not later than May 1, 1946.

3. After the conclusion of the deliberations of the conference and upon consideration of its recommendations the states signatory to the terms of armistice with Italy, Rumania, Bulgaria, Hungary and Finland—France being regarded as such for the purposes of the peace treaty with Italy—will draw up final texts of peace treaties.

4. The final texts of the respective peace treaties as so drawn up will be signed by representatives of the states represented at the conference which are at war with the enemy states in question. The texts of the respective peace treaties will then be submitted to the other United Nations which are at war with the enemy states in question.

5. The peace treaties will come into force immediately after they have been ratified by the Allied states signatory to the respective

armistices, France being regarded as such in the case of the peace with Italy. These treaties are subject to ratification by the enemy states in question.

II. FAR EASTERN COMMISSION AND ALLIED COUNCIL FOR JAPAN

A. FAR EASTERN COMMISSION

Agreement was reached, with the concurrence of China, for the establishment of a Far Eastern Commission to take the place of the Far Eastern Advisory Commission. The terms of reference for the Far Eastern Commission are as follows:

I. *Establishment of the Commission.*

A Far Eastern Commission is hereby established composed of the representatives of the Union of Soviet Socialist Republics, United Kingdom, United States, China, France, The Netherlands, Canada, Australia, New Zealand, India, and the Philippine Commonwealth.

II. *Functions.*

A. The functions of the Far Eastern Commission shall be:

1. To formulate the policies, principles, and standards in conformity with which the fulfillment by Japan of its obligations under the terms of surrender may be accomplished.

2. To review, on the request of any member, any directive issued to the Supreme Commander for the Allied Powers or any action taken by the Supreme Commander involving policy decisions within the jurisdiction of the Commission.

3. To consider such other matters as may be assigned to it by agreement among the participating governments reached in accordance with the voting procedure provided for in article V-2 hereunder.

B. The Commission shall not make recommendations with regard to the conduct of military operations nor with regard to territorial adjustments.

C. The Commission in its activities will proceed from the fact that there has been formed an Allied Council for Japan and will respect existing control machinery in Japan, including the chain of command from the United States Government to the Supreme Commander and the Supreme Commander's command of occupation forces.

III. *Functions of the United States Government.*

1. The United States Government shall prepare directives in accordance with policy decisions of the Commission and shall transmit them to the Supreme Commander through the appropriate United States Government agency. The Supreme Commander shall be charged with the implementation of the directives which express the policy decisions of the Commission.

2. If the Commission decides that any directive or action reviewed in accordance with article II-A-2 should be modified, its decision shall be regarded as a policy decision.

3. The United States Government may issue interim directives to the Supreme Commander pending action by the Commission whenever urgent matters arise not covered by policies already formulated by the Commission; provided that any directive dealing with fundamental changes in the Japanese constitutional structure or in the regime of control, or dealing with a change in the Japanese Government as a whole will be issued only following consultation and following the attainment of agreement in the Far Eastern Commission.

4. All directives issued shall be filed with the Commission.

IV. *Other methods of consultation.*

The establishment of the Commission shall not preclude the use of other methods of consultation on Far Eastern issues by the participating governments.

V. *Composition.*

1. The Far Eastern Commission shall consist of one representative of each of the states party to this agreement. The membership of the Commission may be increased by agreement among the participating powers as conditions warrant by the addition of representatives of other United Nations in the Far East or having territories therein. The Commission shall provide for full and adequate consultations, as occasion may require, with representatives of the United Nations not members of the Commission in regard to matters before the Commission which are of particular concern to such nations.

2. The Commission may take action by less than unanimous vote provided that action shall have the concurrence of at least a majority of all the representatives including the representatives of the four following powers: United States, United Kingdom, Union of Soviet Socialist Republics and China.

VI. *Location and organization.*

1. The Far Eastern Commission shall have its headquarters in Washington. It may meet at other places as occasion requires, including Tokyo, if and when it deems it desirable to do so. It may make such arrangements through the Chairman as may be practicable for consultation with the Supreme Commander for the Allied Powers.

2. Each representative on the Commission may be accompanied by an appropriate staff comprising both civilian and military representation.

3. The Commission shall organize its secretariat, appoint such committees as may be deemed advisable, and otherwise perfect its organization and procedure.

VII. *Termination.*

The Far Eastern Commission shall cease to function when a decision to that effect is taken by the concurrence of at least a majority of all the representatives including the representatives of the four following powers: United States, United Kingdom, Union of Soviet Socialist Republics and China. Prior to the termination of its functions the Commission shall transfer to any interim or permanent security organization of which the participating governments are members those functions which may appropriately be transferred.

It was agreed that the Government of the United States on behalf of the four powers should present the terms of reference to the other governments specified in Article I and invite them to participate in the Commission on the revised basis.

B. ALLIED COUNCIL FOR JAPAN

The following agreement was also reached, with the concurrence of China, for the establishment of an Allied Council for Japan:

1. There shall be established an Allied Council with its seat in Tokyo under the chairmanship of the Supreme Commander for the Allied Powers (or his deputy) for the purpose of consulting with and advising the Supreme Commander in regard to the implementation of the Terms of Surrender, the occupation and control of Japan, and of directives supplementary thereto; and for the purpose of exercising the control authority herein granted.

2. The membership of the Allied Council shall consist of the Supreme Commander (or his deputy) who shall be chairman and United States member; a Union of Soviet Socialist Republics member; a Chinese member; and a member representing jointly the United Kingdom, Australia, New Zealand, and India.

3. Each member shall be entitled to have an appropriate staff consisting of military and civilian advisers.

4. The Allied Council shall meet not less often than once every two weeks.

5. The Supreme Commander shall issue all orders for the implementation of the terms of surrender, the occupation and control of Japan, and directives supplementary thereto. In all cases action will be carried out under and through the Supreme Commander who is the sole executive authority for the Allied Powers in Japan. He will consult and advise with the Council in advance of the issuance of orders on matters of substance, the exigencies of the situation permitting. His decisions upon these matters shall be controlling.

6. If, regarding the implementation of policy decisions of the Far Eastern Commission on questions concerning a change in the regime of control, fundamental changes in the Japanese constitutional struc-

ture, and a change in the Japanese Government as a whole, a member of the Council disagrees with the Supreme Commander (or his deputy), the Supreme Commander will withhold the issuance of orders on these questions pending agreement thereon in the Far Eastern Commission.

7. In cases of necessity the Supreme Commander may take decisions concerning the change of individual Ministers of the Japanese Government, or concerning the filling of vacancies created by the resignation of individual Cabinet members, after appropriate preliminary consultation with the representatives of the other Allied Powers on the Allied Council.

III. KOREA

1. With a view to the re-establishment of Korea as an independent state, the creation of conditions for developing the country on democratic principles and the earliest possible liquidation of the disastrous results of the protracted Japanese domination in Korea, there shall be set up a provisional Korean democratic government which shall take all the necessary steps for developing the industry, transport and agriculture of Korea and the national culture of the Korean people.

2. In order to assist the formation of a provisional Korean government and with a view to the preliminary elaboration of the appropriate measures, there shall be established a joint commission consisting of representatives of the United States command in southern Korea and the Soviet command in northern Korea. In preparing their proposals the Commission shall consult with the Korean democratic parties and social organizations. The recommendations worked out by the Commission shall be presented for the consideration of the Governments of the Union of Soviet Socialist Republics, China, the United Kingdom and the United States prior to final decision by the two Governments represented on the Joint Commission.

3. It shall be the task of the Joint Commission, with the participation of the Provisional Korean Democratic Government and of the Korean democratic organizations to work out measures also for helping and assisting (trusteeship) the political, economic and social progress of the Korean people, the development of democratic self-government and the establishment of the national independence of Korea.

The proposals of the Joint Commission shall be submitted, following consultation with the provisional Korean Government for the joint consideration of the Governments of the United States, Union of Soviet Socialist Republics, United Kingdom and China for the working out of an agreement concerning a four-power trusteeship of Korea for a period of up to five years.

4. For the consideration of urgent problems affecting both southern and northern Korea and for the elaboration of measures establishing permanent coordination in administrative-economic matters between the United States Command in southern Korea and the Soviet Command in northern Korea, a conference of the representatives of the United States and Soviet Commands in Korea shall be convened within a period of two weeks.

IV. CHINA

The three Foreign Secretaries exchanged views with regard to the situation in China. They were in agreement as to the need for a unified and democratic China under the National Government, for broad participation by democratic elements in all branches of the National Government, and for a cessation of civil strife. They reaffirmed their adherence to the policy of non-interference in the internal affairs of China.

Mr. Molotov and Mr. Byrnes had several conversations concerning Soviet and American armed forces in China.

Mr. Molotov stated that the Soviet forces had disarmed and deported Japanese troops in Manchuria but that withdrawal of Soviet forces had been postponed until February first at the request of the Chinese Government.

Mr. Byrnes pointed out that American forces were in North China at the request of the Chinese Government, and referred also to the primary responsibility of the United States in the implementation of the terms of surrender with respect to the disarming and deportation of Japanese troops. He stated that American forces would be withdrawn just as soon as this responsibility was discharged or the Chinese Government was in a position to discharge the responsibility without the assistance of American forces.

The two Foreign Secretaries were in complete accord as to the desirability of withdrawal of Soviet and American forces from China at the earliest practicable moment consistent with the discharge of their obligations and responsibilities.

V. RUMANIA

The three Governments are prepared to give King Michael the advice for which he has asked in his letter of August 21, 1945, on the broadening of the Rumanian Government. The King should be advised that one member of the National Peasant Party and one member of the Liberal Party should be included in the government. The Commission referred to below shall satisfy itself that

(a) They are truly representative members of the groups of the parties not represented in the Government;

(b) They are suitable and will work loyally with the government

The three Governments take note that the Rumanian Government thus reorganized should declare that free and unfettered elections will be held as soon as possible on the basis of universal and secret ballot. All democratic and anti-Fascist parties should have the right to take part in these elections and to put forward candidates. The reorganized government should give assurances concerning the grant of freedom of the press, speech, religion and association.

A. Y. Vyshinski, Mr. Harriman, and Sir A. Clark Kerr are authorized as a commission to proceed to Bucharest immediately to consult with King Michael and members of the present government with a view to the execution of the above-mentioned tasks.

As soon as these tasks are accomplished and the required assurances have been received, The Government of Rumania, with which The Soviet Government maintains diplomatic relations, will be recognized by The Government of the United States of America and The Government of the United Kingdom.

VI. BULGARIA

It is understood by the three Governments that the Soviet Government takes upon itself the mission of giving friendly advice to the Bulgarian Government with regard to the desirability of the inclusion in the Bulgarian Government of the fatherland front, now being formed, of an additional two representatives of other democratic groups, who (a) are truly representative of the groups of the parties which are not participating in the government, and (b) are really suitable and will work loyally with the government.

As soon as the Governments of the United States of America and the United Kingdom are convinced that this friendly advice has been accepted by the Bulgarian Government and the said additional representatives have been included in its body, The Government of the United States and The Government of The United Kingdom will recognize The Bulgarian Government, with which The Government of The Soviet Union already has diplomatic relations.

VII. THE ESTABLISHMENT BY THE UNITED NATIONS OF A COMMISSION FOR THE CONTROL OF ATOMIC ENERGY

Discussion of the subject of atomic energy related to the question of the establishment of a commission by the General Assembly of the United Nations. The Ministers of Foreign Affairs of the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom have agreed to recommend, for the consideration of the General Assembly of the United Nations, the establishment by the United Nations of a commission to consider problems arising from the discovery of atomic energy and related matters. They have

agreed to invite the other permanent members of the Security Council, France and China, together with Canada to join with them in assuming the initiative in sponsoring the following resolution at the first session of the General Assembly of the United Nations in January 1946:

Resolved by the General Assembly of the United Nations to establish a commission, with the composition and competence set out hereunder, to deal with the problems raised by the discovery of atomic energy and other related matters.

I. Establishment of the Commission.

A commission is hereby established by the General Assembly with the terms of reference set out under Section V below.

II. Relations of the Commission with the organs of the United Nations.

(a). The Commission shall submit its reports and recommendations to the Security Council, and such reports and recommendations shall be made public unless the Security Council, in the interests of peace and security, otherwise directs. In the appropriate cases the Security Council should transmit these reports to the General Assembly and the members of the United Nations, as well as to the Economic and Social Council and other organs within the framework of the United Nations.

(b). In view of the Security Council's primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, the Security Council shall issue directions to the Commission in matters affecting security. On these matters the Commission shall be accountable for its work to the Security Council.

III. Composition of the Commission.

The Commission shall be composed of one representative from each of those states represented on the Security Council, and Canada when that state is not a member of the Security Council. Each representative on the Commission may have such assistants as he may desire.

IV. Rules of procedure.

The Commission shall have whatever staff it may deem necessary, and shall make recommendations for its rules of procedure to the Security Council, which shall approve them as a procedural matter.

V. Terms of Reference of the Commission.

The Commission shall proceed with the utmost dispatch and inquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular the Commission shall make specific proposals:

- (a) For extending between all nations the exchange of basic scientific information for peaceful ends;
- (b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;
- (c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction;
- (d) For effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.

The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken.

The Commission shall not infringe upon the responsibilities of any organ of the United Nations, but should present recommendations for the consideration of those organs in the performance of their tasks under the terms of the United Nations Charter.

[HARRIMAN]

740.00119 EW/12-2945 : Telegram

*The Ambassador in France (Caffery) to the Secretary of State*⁸

PARIS, December 29, 1945—3 p. m.

[Received December 29—1:54 p. m.]

7408. At the meeting of the Council of Ministers yesterday the Cabinet discussed the invitation to the French Govt to associate itself with the Big Three and China in the peace treaties settlement with Italy, the Balkan States and Finland. Bidault arrived late at the Cabinet meeting (going directly there from his wedding ceremony) when discussion was in full swing; he left immediately after the meeting on his wedding trip. I, therefore, saw Chauvel⁹ this morning to ascertain what decisions had been taken by the Govt and when a reply to our note (Moscow's 457 to Paris) could be expected.

Chauvel was in a state of considerable confusion as to exactly what happened at the Council of Ministers yesterday. He had seen Bidault briefly after the meeting, but the latter was in haste to depart and had given him only a vague account. Subsequently he saw Francis Gay (MRP¹⁰ Minister of State who will act as Foreign Minister in Bidault's absence) but Gay had little more to add.

Chauvel said that from the scanty information at his disposal the Cabinet had decided to reply to our note by asking for further information as to exactly what we envisaged as the role of the Peace

⁸ The Secretary of State left Moscow on the morning of December 27 en route to Washington, where he arrived on the evening of December 29.

⁹ Jean Chauvel, Secretary General of the French Foreign Ministry.

¹⁰ Popular Republican Movement, French political party.

Conference vis-à-vis the countries which would prepare the treaties for submittal to the Conference. (The press reports this. See my 7409, December 29.¹¹) Specifically he "believes the French note will inquire as to how the powers participating in the Conference will be permitted to make known their views. When differences of opinion occur between the two or three powers preparing the treaty and other members of the Conference will the question be put to a vote and if so will the vote be in secret or public?" Furthermore, the French would like to know to what degree the Big Three will take into account recommendations of other powers participating in the Conference. (Until these questions have been answered the French will withhold saying that they would like the Conference to be held at Paris, although it is obvious that they want it here very much.)

I asked Chauvel if the French reply had reached the drafting stage and he replied with considerable embarrassment that it had not, since the Foreign Office itself still did not have sufficient information or minutes of the Cabinet meeting yesterday to permit it to draft. He added that for this reason the indications he had given me above should not be accepted as setting forth the exact sense of the French reply but rather as an indication of what had been told him briefly by Bidault and Gay.

I said to Chauvel that from what little he had conveyed to me it appeared possible that no reply would be forthcoming from the French for at least several days. He agreed that this would probably be the case. I said to him that speaking personally the shilly-shally, delay and questions that the French were posing before giving a final reply reminded me of what had happened when they were invited to participate in sponsoring the San Francisco Conference and that if they carried this on very long they would probably find themselves in the position of having the Big Three and China proceed without them. I said that we would regret this very much as Secretary Byrnes had done what he could to find a solution to this pressing problem which would not compromise France's legitimate interests, that it was solely due to Mr. Byrnes' efforts that France received the consideration she had received.

Chauvel showed great distress throughout the conversation and indicated that the Foreign Ministry would like to go along with us. He repeated, however, that everything was in a terrible state of confusion. Bidault's departure on his wedding trip and the fact that Francis Gay was not well briefed and knew little about pressing foreign questions left the Foreign Ministry in a position where there is no one of Cabinet rank or of sufficient influence to impress on de Gaulle

¹¹ Not printed.

that it is in France's interest to associate itself whole-heartedly with the Moscow decision.

He suggested that I see de Gaulle. I said "No, de Gaulle will not go back on a decision the Cabinet has taken on his insistence and against the opposition of some of the Ministers. I explained all this to Bidault who understood the situation very well and said he would explain it to de Gaulle; but apparently on account of his wedding excitement, et cetera, he did not do so effectively. I know de Gaulle and I know when I can persuade him to change his position, but this time I would only expose myself to a rebuff." I added "I regret you are making it very difficult for your friends to help you, and if you persist in your attitude, you will be left out in the cold."

Chauvel said he understood perfectly, thanked me and said he would do the best he could, as fast as he could.

CAFFERY

[For text of the report by the Secretary of State on the Moscow Meeting of Foreign Ministers, made as a radio address on December 30, 1945, see Department of State *Bulletin*, December 30, 1945, page 1033.]

ANGLO-AMERICAN COOPERATION ON POLICIES AND
PROBLEMS CONCERNING THE PROCLAIMED AND
STATUTORY LISTS IN THE EASTERN HEMISPHERE ¹

740.00112 Black List/2-645

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

No. 20860

LONDON, February 6, 1945.

[Received February 15.]

SIR: With reference to the Department's telegram 9756 of November 20, 1944 ² requesting this Embassy to discuss with the British the question of suggesting to all Allied governments in the Eastern Hemisphere that they issue lists parallel to the Proclaimed and Statutory Lists ³ and also that they observe these lists in the post-war period, I have the honor to report on the current status of this matter.

The Embassy's telegram 11,192 of December 16 ² contained the verbatim comments of Mr. E. H. Bliss of the Ministry of Economic Warfare on the Department's suggestions. The following report is submitted to give the Department a summary of the current position which has altered somewhat from that described in the Embassy's telegram 11,192.

(A) *Belgium*:

In December, it will be recalled, MEW ⁴ preferred to view the question of an approach to Allied Governments with the suggestion that they issue lists parallel to the Proclaimed and Statutory Lists on a wider basis—at least insofar as the co-belligerents in Western Europe were concerned. At that time the Belgians were merely contemplating economic warfare controls and MEW thought that immediate steps should be taken to speed up their reactions in this respect. The Belgian Government has apparently now promulgated economic warfare controls substantially along the lines desired by the British and, as

¹ Continued from *Foreign Relations*, 1944, vol. II, pp. 154-212.

² Missing from Department files.

³ The Proclaimed List of Certain Blocked Nationals, issued July 17, 1941, named certain persons deemed to be acting for the benefit of Germany or Italy or nationals of those countries and persons to whom the exportation, directly or indirectly, of various articles or materials was deemed to be detrimental to the interest of national defense. For text of the proclamation, see Department of State *Bulletin*, July 19, 1941, p. 42. The British Statutory List was similar in scope to the Proclaimed List.

⁴ British Ministry of Economic Warfare.

was stated in the Embassy's telegram 402 of January 12,⁵ they will adopt a Black List, although its actual publication in the Official Journal will be delayed owing to the necessity of including the latest supplements to the Statutory List in theirs and the shortage of labor and paper.

(B) *Italy*:

The position with respect to Italy has not, to this Embassy's knowledge, altered from that described in the Embassy's telegram 11,192. It would appear that we could achieve our aims by a joint approach with the British through or with the approval of the Allied Control Commission. However, as was pointed out in the Embassy's telegram 512 of January 15,⁵ economic warfare considerations such as the Proclaimed List have not apparently been taken into account with respect to Italy, judging from Tam airgram 24 of October 11⁵ from AGWAR to AFHQ, which set forth the policy of dealings between Italy and neutral countries. The Embassy suggests that appropriate steps be taken through the Allied Control Commission to obtain the issuance and/or observance of the Proclaimed and Statutory Lists by the Italian Government.⁶

(C) *Norway*:

There has been no change as regards Norway, but the Department may wish to discuss this question with Mr. Bliss during his visit to Washington following his return from his current visit to Switzerland.

(D) *Russia*:

The position with respect to Russia in December was rather doubtful, from MEW's point of view, as it was felt that the idea of economic warfare was new to the Russians and it was desirable to give it an opportunity to develop with the Russians. At that time, an approach had been made to the Russians on the Control Commission in Finland because of the resumption of trade between Sweden and Finland. The Soviet representative at Helsinki⁷ agreed then to measures aimed at preventing Statutory-listed firms in Sweden from dealing with Finland. However, it is believed by MEW that, although these

⁵ Not printed.

⁶ The Department and the Foreign Office decided that the approach to the Italian Government on the adoption of the Proclaimed and Statutory Lists should be made jointly by the American and British Embassies in Italy. Negotiations began in March, and on August 7, 1945, the American Embassy in Italy cabled that the Italian Government was drafting a decree and that "its practical effect will be to apply sanctions [to] all persons included in Proclaimed List". (740.65112A/8-745) Apparently, the Italian Government had not formally adopted the Lists by the close of 1945, but agreement was near.

⁷ Pavel Dmitriyevich Orlov, Political Adviser to the Allied Control Commission for Finland.

arrangements are probably adequate for immediate purposes, they do not go far enough, as, ostensibly, they cover only Swedish exporters. Eventually it is hoped to obtain Russian agreement to prevent any transactions with Finland, whether exports, imports, or financial operations on the part of Statutory-listed firms in Sweden. It is also hoped eventually to institute in Finland import control by means of certificates of origin.

Recently, the question of Soviet cooperation in enforcing the Statutory List has arisen in connection with other countries. On January 3, on the basis of a report from Stockholm that Soviet-Swedish trade was shortly to be resumed, MEW cabled to the British Embassy in Moscow suggesting that the Soviet Government be invited to refrain from dealings with and to deny facilities within their control to persons and firms on the Statutory List in Sweden and elsewhere. A copy of the Ministry's Arfar⁸ 1 of January 3 to Moscow is attached as Enclosure No. 1.⁹ The reference telegram Arfar 64 from Moscow was quoted in this Embassy's despatch 18,383 of October 3, 1944.⁹

A further example of the need for an approach to the Soviet Government to obtain its observance of the Statutory and Proclaimed Lists was contained in telegram 79 of December 19⁹ to this Embassy from Ankara, repeating a message to the Department, which stated that Proclaimed-listed firms in Turkey were being allowed to trade with Bulgaria. The Embassy's telegram 341 of January 10⁹ informed the Department that MEW, after discussions with the Foreign Office, intended to raise this question as a general issue with the Russian Government as well as to have it raised specifically with the British members of the Allied Control Commission in Bulgaria. On January 17 the British Military Mission in Bulgaria was informed in this connection that the British Government has no objection to the principle of the resumption of Bulgaria's foreign trade provided that commercial or financial transactions with Statutory-listed firms are not permitted and also that imports of goods of enemy origin or interest are prohibited by demanding, in the case of imports from Turkey and the four European neutrals, the production of certificates of origin.

On January 31, in order to raise the subject as a general issue with the Soviet Government, MEW wrote to the British Embassy in Moscow, suggesting that a general approach be made to the Russians on this subject. A copy of the Ministry's Savingram is attached as Enclosure No. 2.¹⁰

⁸ British communications indicator.

⁹ Not printed.

¹⁰ Not printed, but see instruction 341, November 2, 1944, to Moscow, *Foreign Relations*, 1944, vol II, p. 193.

It will be observed that recent events, particularly resumption of trade between Russia and neutral countries and liberated countries in which Russia has a predominant interest, has necessitated a further approach to the Russians for a clearer expression of their position vis-à-vis the Allied lists. It will be noted that the British Savingram of January 31 has left the decision as to the best means of obtaining these ends to the British Mission. The Department may wish to send similar instructions to the American Embassy in Moscow, which is being furnished with a copy of this despatch for its information. The Embassy suggests, however, that, inasmuch as the original approach to the Soviet Government on the question of observance of the Statutory List was made by the British alone in connection with the Russian Government's observance of the post-hostilities Statutory List (see Embassy's despatch 18,383 of October 3, 1944) it is unnecessary for an approach to be made jointly by the American and British Embassies in Moscow, unless a joint approach is felt by both Missions to be preferable. While it has normally been the practice in the past to make approaches to neutral European governments on a joint basis with the British on listing and other economic warfare matters, the Embassy believes that it may be undesirable to approach another Allied government on a joint basis in such matters. Furthermore, it might be noted that, if the British are successful in obtaining the Soviet Government's observance of the Statutory List with respect to neutral European countries, that Government's observance of the Proclaimed List for these countries would automatically follow.

The Department's reference telegram also raised the question as to whether the Allied Governments had received memoranda similar to that which was sent to the Norwegian Ministry of Supply (reference Embassy's telegram 6538 of August 14, 1944¹¹). The Ministry has informed the Embassy that copies of this memorandum have been sent to representatives of the Belgian, French, and Netherlands Governments by the Ministry of Production which, MEW states, is in closer touch with these Allies than MEW.

Respectfully yours,

For the Ambassador:

JOHN W. EASTON

Lt. Colonel, F. A.,

Economic Warfare Division

¹¹ Not printed.

740.41112A/2-845 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 8, 1945—10 p. m.

[Received February 8—8 p. m.]

1404. For WT.¹²

1. Black List ¹³ Committee February 6 amended decision of October 19 to make no further additions to Black List by agreeing that additions should now be made for substantive cases.

Reurtel 57, January 3.¹⁴ Committee's decision to discontinue practice of automatically including directors and partners of listed firms in Black List still stands. Matter was discussed with Bliss by Peterson ¹⁵ and Andrews ¹⁶ following Department's instruction to former. Committee's decision reached at instigation of Bliss, who wished to have unfrozen Black List as basis for discussion in his visit to Washington following his return from Switzerland.

2. Board of Trade representative reported his Department's disagreement with Department's fundamental view that published and confidential lists should continue as complementary weapons of economic warfare as long as blockade and export controls continue. For Department's information, it is unlikely that Black List will continue in effect after cessation of hostilities in Europe, inasmuch as it was promulgated by MEW, which will probably be liquidated shortly after European hostilities terminate. TED ¹⁷ of Board of Trade will probably then assume remaining listing responsibilities largely in connection with post-hostilities Statutory List.

3. Embassy would appreciate Department's comments on future of Confidential List ¹⁸ after cessation of hostilities in Europe. Department's 7489 September 14 ¹⁹ indicated Confidential List might be abolished or at least its functions materially reduced if it were retained.

WINANT

¹² Division of World Trade Intelligence.

¹³ Established by the British as a facilities list applying to trade between neutral countries.

¹⁴ *Foreign Relations*, 1944, vol. II, p. 204.

¹⁵ Avery F. Peterson, Second Secretary and Consul at the Embassy in London.

¹⁶ Archie M. Andrews, Junior Economic Analyst at the Embassy in London.

¹⁷ Trading with the Enemy Department.

¹⁸ Established more or less as a secondary Proclaimed List: that is, it was intended to prevent American traders from having commercial relations with undesirable persons and firms in neutral countries as well as to control trade between neutral countries on the part of objectionable persons and firms in those countries.

¹⁹ *Foreign Relations*, 1944, vol. II, p. 187.

740.41112A/2-845 : Telegram

*The Acting Secretary of State to the Ambassador in the
United Kingdom (Winant)*

WASHINGTON, February 19, 1945—9 p. m.

1273. Second section Embassy's telegram 1404, February 8, quite helpful. Department's telegram 7489, September 14,²⁰ is best prediction now possible regarding post-hostilities fate of Confidential List. Department's view of published and secret lists as complementary to which Board of Trade objected is based on premise that as long as export and blockade controls operate to deny goods or facilities to specified persons there must be some way of getting at henchmen in twilight zones about them. The issue is really how long blockade controls will continue to operate and lists remain primarily an adjunct of the blockade. Obviously, secret lists will go when blockade controls go, and truncated published lists if they remain, will be directed to other objectives. Department differs from Board of Trade if latter proposes to maintain a blockade or export control system with only a published list and that about three-fourths its present size. Such a system would inevitably raise problems adumbrated in Department's telegram 57, January 3,²¹ regarding which your report of British reaction is awaited by Department. No merit is seen in maintaining the control mechanisms but spoiling their reputation and effectiveness by eliminating or so drastically reducing the lists that the controls operate unfairly, sporadically and perhaps opportunistically. Similarly, regarding British tendency towards a static post-hostilities list, Department tends to favor a dynamic but progressively reduced Proclaimed List until export and blockade controls are lifted. British emphasis on post-hostilities rather than post-blockade as the key date regarding listing seems to be crux of problem. Certainly the freeze of Black List before either country was ready to modify blockade controls indicated a divergence on this point. This whole matter will be raised here with Bliss. You may discuss foregoing with British.

GREW

²⁰ *Foreign Relations*, 1944, vol. II, p. 187.

²¹ *Ibid.*, p. 204.

740.61112A/2-2445 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, February 24, 1945—1 p. m.

[Received 3:56 p. m.]

538. ReEmbs 338, February 6, 1 p. m.²² Head of American Section of Foreign Office²³ has now replied to Kennan's²⁴ letters of November 25 and January 5 concerning recognition of the Proclaimed List and has named an official, the head of Trade Agreements Section of People's Commissariat for Foreign Trade,²⁵ who would be prepared to discuss with us the question of recognition of Proclaimed List by the Soviet Government in its official dealings.

We will proceed with these discussions as soon as possible.

Sent to Department as 538; repeated to London as 74.

HARRIMAN

740.61112A/3-845 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, March 8, 1945—7 p. m.

[Received March 9—12:35 a. m.]

672. ReEmb's 538, February 24, 1 p. m. Kennan and General Spalding²⁶ have had an interview with Kумыкин, head of the Trade Agreements Section of the People's Commissariat for Foreign Trade concerning Soviet recognition of the Proclaimed and Statutory Lists. Kennan described our plans for postwar continuance of the Proclaimed List and said there were two concrete questions which we wished clarified: (1) Would the Soviet Government be prepared to recognize the list in its commercial dealings and (2) to what extent would it wish to make recommendations on the composition of the list.

Kумыкин replied that this matter had never before been raised officially with the Soviet Government and there were consequently several questions which he would like to ask with respect to the Proclaimed List. He proceeded to put the following 12 questions. We are unable to give an authoritative reply to most of these questions, and I would therefore appreciate the Department's assistance in answering them.

²² Not printed.

²³ Semen Konstantinovich Tsarapkin.

²⁴ George F. Kennan, Counselor of American Embassy.

²⁵ Pavel Nikolayevich Kумыкин.

²⁶ Brig. Gen. Sidney P. Spalding, Head of Supply Division of American Military Mission in the Soviet Union.

We have passed on the questions to the British Embassy, which is telegraphing them to London with a request for pertinent information concerning the British Statutory List. The British Embassy is suggesting that London's reply to it on the Statutory List be coordinated with the Department's reply to us on the Proclaimed List, in order to avoid any conflict in what we and they tell the Russians. Questions follow:

1. What is the legal basis of the Proclaimed List, what principles were applied in drawing it up, and what criteria governed listing of this or that individual firm.
2. What types of specific data were considered in deciding on a listing.
3. What agency of the United States Government handles the Proclaimed List.
4. Are the Proclaimed and Statutory Lists identical.
5. Is the consent of both American and British Governments now required for the listing of a firm.
6. What is the listing procedure.
7. On what principles will the list be revised for the postwar period.
8. Does the present list include firms of the former satellites registered in neutral or Allied countries, or firms which dealt with the former satellite countries. If so, could they be segregated into a separate list.
9. Would it be possible to segregate from the present list Japanese firms and firms of neutral countries listed because they were assisting Japan.
10. How completely does the list encompass German firms in neutral countries and other firms in such countries that have traded with the Axis.
11. Has consideration been given to the inclusion in the list of German and German-controlled firms in countries now or formerly occupied by Germany.
12. The list includes firms in many countries which have long been at war with Germany. Presumably the laws in those countries, like the laws of the United States and Great Britain, deprive enemy aliens of the right to use their property and progeny for the liquidation of enemy firms. In these circumstances how can such firms continue to exist and do business in countries at war with Germany.

HARRIMAN

740.00112A EW/3-2845 : Circular airgram

The Acting Secretary of State to Certain Diplomatic and Consular Officers ²⁷

WASHINGTON, March 28, 1945—4 : 40 p. m.

Inquiries have been received in the Department concerning commercial relations between firms in the Middle East area and entities in liberated areas.

It is highly unlikely that firms in the Middle East area will run afoul of our Proclaimed List policy in their dealings with the liberated areas. The Proclaimed List was not extended to such areas because during occupation trade with any person residing therein was completely proscribed. Post-liberation extension of the List as to these areas is not contemplated. For your confidential information, it is, and very likely will continue to be, this Government's policy to leave to the governments of the Allied liberated countries the determination of the treatment of collaborators and control of possible enemy activity within them. They are also expected to establish controls designed to prevent trade and communication with the enemy and to coordinate such procedures with the economic warfare controls of the British and American Governments. Regarding ex-enemy countries, reliance must ultimately be placed on Allied controls.

This Government is working toward mutual observance of economic warfare controls by each of the liberated countries, including adoption or recognition of the Proclaimed List by them.

The Department suggests that you inform inquirers that they may deal with the liberated areas without fear of penalty, provided they do not knowingly violate any of the controls of this or any Allied government aimed at preventing benefit to the enemy.

GREW

740.61112A/4-845 : Telegram

The Secretary of State to the Ambassador in the Soviet Union
(Harriman)

WASHINGTON, April 8, 1945—2 p. m.

819. Following are answers to questions concerning Proclaimed List:

(1) Proclaimed List was authorized by Presidential Proclamation of July 17, 1941 under authority vested in the President by Trading with the Enemy Act, Section 5(b) of Act of October 6, 1917

²⁷ To the Diplomatic Officers at Cairo, Athens, Tehran, Baghdad, Damascus, Beirut, Jidda, and Addis Ababa ; to the Consular Officers at Jerusalem, Salonika, and Aden. Airgram A-34, February 28, 1945, not printed, had been sent to Ankara.

(40 Stat. 415), as amended, and section 6 of Act of July 2, 1940 (54 Stat. 714).

Proclaimed List is a list basically designed to identify persons and firms abroad with respect to whom any transactions subject to control of the United States Government are prohibited except under license. With the advent of General Ruling No. 11, issued by Treasury Department under date of March 18, 1942,²⁸ persons and firms thereafter included in List became "enemy nationals" under Trading with the Enemy Act, and thus trade and communication with them became completely proscribed. Thus, underlying objective of list is to prevent trading, financial or other transactions which benefit the enemy.

Broadly speaking, listing has been directed against persons and firms considered to be part and parcel of enemy plan of economic aggression, such as enemy-controlled firms, persons having enemy government ties and such other persons and firms actively contributing to enemy war effort.

(2) Allied official sources have been utilized to fullest extent to obtain evidence on which listing has been based, including, but not by way of limitation, censorship intelligence and reports from allied missions in the field.

(3) Proclaimed List is administered by an Interdepartmental Committee composed of representatives of Departments of State, Treasury, Justice and Commerce, Office of Inter-American Affairs and Foreign Economic Administration.²⁹ British and Canadian observers also attend Committee meetings.

(4) Proclaimed and Statutory Lists are identical except for very few discrepancies which are largely due to circumstances of publication. Western Hemisphere names appear in Proclaimed List first and subsequently in Statutory List, while Eastern Hemisphere names appear first in Statutory List.

(5) While both Governments maintain their freedom of action to list without agreement of the other, in practice unanimity has been regarded as so desirable that there are no instances in which disagreement has resulted in divergence between lists.

(6) Action is taken on basis of joint recommendations from interested American and British missions. These recommendations are considered in either the British or American Committees, depending upon whether they arise in Western or Eastern Hemisphere.

(7) With respect to postwar list, US and UK Governments issued public statement simultaneously on September 26, 1944,³⁰ text of which was transmitted to you in Department's 341 of November 2, 1944.³¹

²⁸ 7 *Federal Register* 2168.

²⁹ The chairman was Dean G. Acheson, Assistant Secretary of State.

³⁰ See circular airgram, September 21, 1944, *Foreign Relations*, 1944, vol. II, p. 188.

³¹ *Ibid.*, p. 193.

(8) There are a few firms which were included in Proclaimed List because they were controlled from enemy countries other than Germany, Italy or Japan. A few firms and individuals were also listed because of dealings with such enemy countries. It would not be possible, however, to segregate these names from others appearing in published list.

(9) Same as (8) above, except that Japanese names and names listed for contribution to Japanese war effort are more numerous.³²

(10) Enemy-controlled firms in neutrals are normally listed. Other firms in neutral countries are listed because of commercial, financial and political activities which benefit the enemy, but it has not been our practice to list automatically for trading with the enemy. In each case consideration is given to whether or not listing can be expected to bring about a curtailment of such trade on the part of neutral firm in question or deter others from similar trade. Listing action is also taken to make an example of firms which have gone out of their way to increase their exports to the enemy or to develop new business in goods for which enemy has particular need or to re-export to enemy goods imported through Allied blockade.

(11) It has not been necessary to extend Proclaimed List to persons and firms in enemy and enemy-occupied territory. American interests are prohibited by law from trading or communicating with such territory. This Government does not contemplate post-liberation extension of Proclaimed List to areas formerly occupied by the enemy since reliance will be placed upon governments of liberated areas to deal appropriately with collaborators and other undesirable elements and to control possible enemy activity within such countries.

(12) It has been necessary to maintain Proclaimed List in these countries until such time as they have exercised adequate control over enemy firms and individuals.

Foregoing telegram has been discussed with British here and cable along similar lines will be dispatched shortly from London.

STETTINIUS

³² In reply to telegram 1142, April 12, 1945, 4 p. m., from Moscow (not printed), the Department stated in telegram 865, April 14, 1 p. m., that it would be possible to furnish the Soviet Government for its information the names of persons and firms listed for dealings or other connections with Japan and the former Axis satellites. (740.61112A/4-1245)

740.00112A EW/4-2145: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, April 21, 1945—6 p. m.

3144. As a result of discussions with Mr. Foot³³ and the Department, following consultation in the Proclaimed List Committee, the Department is recommending to the Committee and the identical proposal is being made to MEW and the Black List Committee, a proposal which follows approximately the pattern hereinafter set forth:

1. Shortly after V-E Day,³⁴ the lists for the eastern hemisphere will be reduced by elimination of minor offenders.

2. Approximately 4 months thereafter, a further cut will be made in the lists by the elimination of the intermediate class of offenders.

3. The residual hard core will remain on the lists until the lists are withdrawn, which date is tentatively set at approximately one year after V-E Day, subject to the continuation of adequate controls.

It is being suggested that for the western hemisphere a program very similar to that already in operation will be followed, of withdrawing the list more rapidly in those Latin American countries which cooperate than those which do not.

It has been agreed that a working party will be established in London to screen the names on the Proclaimed and Statutory Lists for the eastern hemisphere area in order to set up the categories which are outlined above. In view of the urgency of this matter it is desired immediately to establish this working party in London in order that at least the category of "minor offenders" can be set up as soon as possible. You are therefore directed to consult with MEW, which will be in receipt of similar instructions, in order to establish such a working party. The urgency of this matter will be appreciated.

In advance of the full text of the Department's recommendation, which is being sent to you shortly, the following are the standards upon which agreement has been reached and which are to be used in establishing the category of minor offenders, which are called Class A in the document:

"It is agreed that the following categories of names will be included in Class A. In all cases regard will be had for the prestige of the lists and for our past public declarations, and for the advice of the missions.

1. Persons whose objectionable operations have been few and unimportant.

³³ Dingle Foot, Parliamentary Secretary, British Ministry of Economic Warfare. Discussions were held between Mr. Foot, representatives of the British Embassy at Washington, and officers of the Department April 16-21, 1945, concerning the withdrawal of the Proclaimed and Statutory Lists after the cessation of hostilities in Europe.

³⁴ Victory in Europe. Germany surrendered on May 8, 1945.

2. Persons whose offenses have consisted in dealings with others on the lists unless (1) such dealings which resulted in listing were carried on after warnings from the missions or (2) were on such a scale as to impair appreciably the effects of listing on the listed firms in question.

3. Persons whose enemy nationality was the principal factor in their listing, except that the possibility that the person may be subject to repatriation should be taken into account in considering such cases for deletion.

4. Persons listed solely or primarily because of their identification with a listed firm should be deleted when that firm is deleted."

This recommendation has a *top secret* designation and should be communicated only to your British colleague.

This telegram is being repeated to the American missions in Lisbon, Madrid, Bern, Stockholm and Ankara ³⁵ with instructions to forward as promptly to London and to Department their recommendations in the sense of the foregoing.

STETTINIUS

740.00112A EW/5-845 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

[Extract]

LONDON, May 8, 1945—7 p. m.

[Received May 9—4: 15 a. m.]

4640. 1. Black List Committee has approved following criteria for listing post VE-Day:

(a) Important German-controlled firms which have hitherto escaped listing;

(b) Persons known to hold or to conceal or to be transferring enemy assets, loot or assets belonging to enemy leaders or their associates;

(c) Persons dealing with cloaking or otherwise acting in close association with persons on the Statutory List. (A few additions of this type may be required in order to enforce the list.)

2. It is felt the best results are likely to be achieved by making an example of selected important offenders and that it would probably be preferable in many cases to exact a suitably worded undertaking which will be a revision of the current British standard undertaking.

WINANT

³⁵ Sent as 631 to Lisbon, 664 to Madrid, 1543 to Bern, 724 to Stockholm, and 439 to Ankara with the following additional paragraph:

"The above telegram which has been sent to the American Embassy, London, is repeated to you for your action as soon as possible in accordance with it. You should attempt to formulate your recommendations, especially with respect to the list of minor offenders contemplated in this telegram, and to forward such recommendations to American Embassy, London, and to Department as quickly as possible."

740.00112A EW/5-2645 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 26, 1945—6 p. m.

4203. Please inform Missions in London Coordination Area³⁶ that Confidential List will be abolished on May 26 and suggest, where appropriate, that review of list be made for names which should be promoted to Proclaimed List.

GREW

740.00112A EW/5-2845 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 28, 1945—3 p. m.

4221. For EWD.³⁷ Reference is made to program for deletion of Class A names from Proclaimed and Statutory Lists immediately after V-E Day and to telegrams which have been exchanged on subject of Class A lists compiled in London for European neutral countries.

It will be recalled that agreement worked out between Dept and Foot indicated drafting of lists of names for immediate deletion from lists on basis of standards which were set out and attached to memorandum expressing basic agreement with Foot. Examination in Dept of names submitted by Working Party in London indicates no substantial adherence has been maintained to standards which were thus set out. Examination of proposed Class A lists for such countries as Turkey, Tangier and other European areas indicates Dept would disagree with deletion of approximately 60% of names recommended by London Working Party. Inclusion of such names as director of Deutsche Bank in Turkey is illustrative of type of difficulty Dept is finding with lists submitted by London Working Party.

This matter is viewed with extreme concern by Dept. At time of discussions with Foot, Dept. pointed out the extremely grave consequences of overly generous deletions from lists immediately after V-E Day. It will be recalled Dept's view was that lists should be maintained with only gradual reductions until lists were entirely eliminated approximately one year after V-E Day, and Dept acceded to British desire to make substantial reduction immediately after V-E

³⁶ The London Coordination Area was composed of Ireland, Sweden, Switzerland, Portugal and Spain with their possessions, Tangier, Turkey, Iran, and Iraq.

³⁷ Economic Warfare Division of the Embassy in London.

Day only on basis of agreement that only "small fry" and fringe cases would be included in lists of names eligible for immediate deletion.

Dept has been forewarned that Congressional committees and others interested in Economic Warfare will question very seriously desirability of any substantial reduction of lists at this time. In view of this fact and in view of inclusion in lists drafted by London Working Party of names which Dept considers eligible for hard core, it seems impossible to reach agreement on "first bite" deletions by June 2. Moreover it seems clear Dept and London Working Party are proceeding on entirely different basis in compiling lists of persons eligible for immediate deletion. In view of Dept this matter will have to be straightened out before agreement can be reached on Class A deletions unless British are prepared to accept suggestions which have been made and which will continue to be made by Dept.

You are requested to bring these points to attention of British and to emphasize the following: (1) In view of different standards apparently being applied by London Working Party and Dept, Dept cannot agree to deletions of Class A names on June 9 as originally planned; (2) Dept will continue to send its comments on lists submitted by London Working Party, and is willing to send George Baker³⁸ to London to discuss this entire matter with particular reference to standards being applied in drafting Class A lists; (3) Policy of large scale deletions immediately after V-E Day is being seriously questioned both in Congress and US press. Dept is not willing to assume burden of justifying not only deletion of unimportant fringe cases immediately after V-E Day but also deletion of names which Dept would consider eligible for hard core lists. This point of view was clearly explained to Foot during discussions in Washington and should be emphasized in your discussions with British; (4) It is hoped that postponement of first bite deletions, accompanied by further discussions, can clarify this matter and result in agreement between British and US. Should this not be possible Dept will be compelled to consider maintenance of PL in manner which it will be able to justify, even though this policy means divergence from Statutory List. Department is not prepared to throw overboard the standards worked out in Foot discussions in order to preserve correspondence between Proclaimed and Statutory Lists.

Please report urgently to Dept reactions of British on these views.

GREW

³⁸ Assistant Chief, Division of Economic Security Controls.

740.00112A EW/6-245 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, June 2, 1945—2 p. m.

4384. For Peterson. Re your telephone call and our 4372 June 1³⁹ Dept does not understand urgency of Black List Com meeting and requests you employ every persuasive device to postpone it for one week. Baker will not depart until US policy on certain categories of objections raised in connection with Class A has been definitely settled and possibly also Class B and hardcore. Baker then probably will be in position to speak authoritatively on most issues and so expedite completion of program. We again state our belief that we have observed agreement. We will not be stampeded by Brit into acceptance of their overly liberal interpretation of agreement which is construed strictly here because never regarded as based on sound arguments and accepted with misgivings and reluctance. As stated in our 4221 May 28 Dept is constrained to maintain P[roclaimed] L[ist] in justifiable form. Effect of divergence from S[tatutory] L[ist] has been carefully considered and we are prepared to accept consequences.

Baker should arrive midweek. Meanwhile we are still of opinion it would be desirable for Rubin⁴⁰ go to London to discuss policy with you even though mechanical details require Baker's presence.

Repeated to Paris as 2482 for Rubin.

GREW

740.00112A E.W./6-545 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, June 6, 1945—7 p. m.

4518. Urtel 5688, June 5.⁴¹ For EWD. Oliver⁴² reviewing discrepancies between Brit and US proposals for first bite. In event discrepancies reduced to approximately 15% would Brit in your opinion be willing to defer discussion on this group until after June 23 publication date? This would permit more deliberate and careful consideration of basic issues which will arise more pointedly with respect to second bite. Do not discuss probable percentage of discrepancies with Brit until Dept advises you results of Oliver's survey but explore

³⁹ Not printed.⁴⁰ Seymour J. Rubin, Chief, Division of Economic Security Controls, in Paris on detail with the Reparations Commission.⁴¹ Not printed.⁴² Covey Thomas Oliver, Acting Chief, Division of Economic Security Controls.

possibilities of deferring a degree of difference less than that presently existing until second bite. Preliminary indications are that great majority of cases objected to for first bite would be acceptable for second.

Repeated to Paris for Rubin.

GREW

740.00112A EW/6-845 : Telegram

*The Ambassador in the United Kingdom (Winant) to the
Secretary of State*

LONDON, June 8, 1945—8 p. m.
[Received June 8—7:20 p. m.]

5804. For ES.⁴³ At special meeting Standing Committee, June 6, American representatives persuaded Brit not to discuss deletion program at Black List Committee meeting. FO⁴⁴ was informed we could not attend meeting if item was on agenda because of secrecy classification. Despite previous agreement to June 23 as outside publication date, Brit were reluctant to postpone publication beyond June 16 unless there was possibility of meeting substantial agreement with Proclaimed List Committee on London revised lists. Standing Committee had decided last week that unless we informed them to this effect early this week question of disagreement should be referred to Black List Committee this week so that unilateral publication could take place June 16 if necessary. Brit finally agreed to extend publication date to June 23 as originally reported Embs 5435, May 30,⁴⁵ but it is certain that in absence of directive from top Govt levels they will not defer publication beyond this date (ref question your 4518, June 6). Oliver should, therefore, arrive by weekend as suggested telephone conversation.

Thorough discussion at Standing Committee meeting revealed Brit position substantially as follows: Brit experiencing public pressure for removal wartime controls which is expected to increase in near future. Controls have been specifically raised in Brit political campaign. If Statutory List is to remain cases must be strong as weak ones are likely to imperil whole program. Brit feel hard-core cases could be defended for time agreed and intermediate cases for a short

⁴³ Division of Economic Security Controls.

⁴⁴ British Foreign Office. Lord Selborne, Minister of Economic Warfare, had resigned on May 25; his responsibilities were transferred to the Foreign Office on May 28. On June 1, the Foreign Office took over what remained of the MEW staff and established the Economic Warfare Department under G. H. Villiers. (W. N. Medlicott, *The Economic Blockade*, in *History of the Second World War, United Kingdom Civil Series*, edited by W. K. Hancock, vol. II (London, Her Majesty's Stationery Office, 1959), pp. 627-628.)

⁴⁵ Not printed.

time. They believe, however, that some immediate deletions of unimportant and minor cases are needed not only to safeguard program, but as also "payment on account" (to quote Board of Trade) to British public to convince them that steps are being taken towards liquidation of lists as forecast in Selborne's speech in Parliament last Sept. It is difficult to assess approximate percentage Brit would be willing to accept (your 4518) as they do not wish to operate on percentage or numerical basis. They feel names either do or do not qualify under criteria and mentioned that 5% seemed a reasonable margin for error and differences of opinion on specific cases. We feel that Brit might agree to 15% cited by Dept if it could be reasonably shown in time remaining that London working party and missions were in error to this extent. However, on basis review of lists, we doubt there would be this many cases. Finally, Brit appear aggravated by and unable to understand Proclaimed List Committee's close scrutiny of Eastern Hemisphere lists and numerous objections when Washington has been given relatively, if not entirely free hand in Western Hemisphere deletion program.

CFB feels that in view of Dept's written acceptance (albeit reluctant and with misgivings) of detailed categories of class A minor offenders with Foot, there is little chance in time remaining of altering substantially lists agreed in London for Class A deletion. It seems desirable for tactical reasons that Class A deletions be accepted, for the most part, by Dept to prevent divergence and probable ineffectiveness of lists (our 5688, June 5⁴⁶). In time between Class A and Class B deletions, discussions could be held with Brit regarding detailed criteria (not yet defined) for deletions Class B or qualifications for hard-core. If sufficiently liberal criteria agreed upon for Class C retention or restrictive for Class B deletion, Dept's objective for retaining relatively larger intermediate and hard-core lists than currently projected by Brit could be attained.

WINANT

[Commencing about mid-June, and periodically thereafter, the Department of State made representations, in consultation with the local British missions in the capitals concerned, to the Governments or appropriate authorities in Bulgaria, Czechoslovakia, Denmark, Finland, Greece, Hungary, Norway, Poland, Rumania, and Yugoslavia, requesting observance of the Proclaimed and Statutory Lists.

At the same time, as indicated in documentation above, discussions were being carried on in Moscow looking toward the same end with respect to the Government of the Soviet Union.

⁴⁶ Not printed.

Responses from these countries indicated assurances of full cooperation on the part of Denmark, Finland, Greece, and Norway, apparent observance on the part of Bulgaria, Czechoslovakia, Hungary, and Yugoslavia, and little or no observance on the part of Poland and Rumania.

The discussion with the Soviet Union lapsed, with no apparent results.]

740.00112A EW/7-745 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, July 14, 1945—5 p. m.

5809. Immediately following telegram contains PL Com's statement of hard core criteria except for final concluding pgh, which was omitted in order to avoid coding: "The paramount aim is to arrive at reduced List consisting of worst offenders. These criteria are intended merely to serve that aim; their application to cases should not be regarded as end in itself." You are instructed to cable text, together with above pgh to appropriate missions in L[ondon] C[oordination] A[rea] and instruct them to forward their recommendations to you and Dept at once. To facilitate subsequent communications, suggest use of number system employed between London and Dept in arriving at Class A.

With regard suggestions urtel 6864 July 7⁴⁷ for selecting Class B deletions and hard core, Dept proposes following:

[Here follow details on staffing requirements and administrative details for selecting Class B deletions and hard core.]

GREW

800.515/7-1445 : Telegram

*The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)*⁴⁸

WASHINGTON, July 14, 1945.

5810. (1) Business enterprises in which important financial interests are owned or controlled by individuals or concerns in Germany; and important officials of these enterprises. In other American republics this would include all enterprises categorized as spearhead in character.

⁴⁷ Not printed.

⁴⁸ See telegram 5809, July 14, 5 p. m., to London, *supra*.

(2) Persons who have acted as cloaks for German property outside of Germany; and those who have assisted Germans to dispose of looted property or flight capital.

(3) Those who have gone out of their way to assist enemy. In this connection following suggestions are made, though they must not be regarded as hard-and-fast rules:

a) Persons who have successfully passed goods on substantial scale to enemy through maritime blockade.

b) Persons who have engaged in trade which has substantially assisted enemy war effort and which is outside their normal business, e.g., Swiss watch makers who have manufactured fuses and fuse parts for Germany.

c) Persons who have greatly increased their trade with enemy in goods which are of great importance for conduct of war.

d) Persons who have imported goods of enemy origin in such abnormal volume as to create substantial amounts of foreign exchange or credits for enemy.

e) Persons who have acted on a substantial scale as intermediaries for enemy in transactions between neutral countries.

f) Persons who have played leading part in enemy political activities.

(4) Business enterprises and individuals publicly identified with enemy to extent their deletion would cause undesirable local reaction or would damage Replacement Program. This rule will be applicable mainly to Western Hemisphere.

(5) Notorious individuals commonly regarded as enemy collaborators.

(6) Business enterprises owned or controlled from Japan and persons listed because of offenses related to war against Japan.

GREW

740.00112A EW/8-445 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, August 4, 1945—7 p. m.

6550. From ES for Collado⁴⁹ and King.⁵⁰ In view of unfortunate psychological effect of mass deletions in Latin America and recent hardening in attitude toward certain totalitarian states is it possible that the British no longer feel so strongly that published lists should promptly be reduced to small hard core? If so we strongly favor policy of no additional group deletions for following reasons:

1) Task of separately summarizing and evaluating evidence in several thousand cases and of reconciling views of missions, London and Washington is both difficult and expensive. With personnel available

⁴⁹ Emilio G. Collado, Director, Office of Financial and Development Policy.

⁵⁰ Nat Bozeman King, Special Assistant at the Embassy in London.

it is doubtful whether hard core can be agreed upon in accordance with time schedule of Foot agreement. Effort does not seem to be justified by alleged advantages of merely reducing size of lists particularly since we and Brit contemplate their total withdrawal in a few months and since lists have already been reduced by about 25%. The total withdrawal of list will not require laborious review of all listed names.

2) Diversion of available trained personnel to categorizing names makes it difficult to give proper attention to other matters which are now urgent such as discovery and freezing of overseas assets. It is also difficult to dispose of important individual cases such as Bata where reorganizations may be desirable before list is withdrawn.

3) Political situation in certain areas might be complicated by further large scale deletions. For example, our Emb at Buenos Aires strongly opposes further reduction on political grounds.

4) Mass deletion of relatively serious offenders will be difficult to justify before US public opinion particularly in view of continuance of war against Japan.

5) The balance of advantage still seems to us to be in favor of maintaining list at approx its present size. See Apr 13 memo⁵¹ approved by PL Committee. In many countries US and UK missions assert that deletion program is premature. We do not propose continuance of trade controls which are the real barriers to commerce simply to keep lists effective. But as long as supporting controls are maintained for independent reasons we cannot see how size of list materially affects trade.

The foregoing would not preclude continued deletions in Latin America in accordance with the joint US-UK statement of Sept 1944⁵² nor would it preclude deletion of meritorious cases. If you agree approach Brit high level to ascertain their willingness to maintain active list at about its present size until its withdrawal approx one year after V-E Day. If Brit not agreeable we will of course continue to attempt to meet Foot agreement schedule so as to avoid divergence.

GREW

740.00112A EW/8-2845: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 28, 1945—5 p. m.

[Received August 28—4:06 p. m.]

8769. For ES and Collado reDeptel 6550, August 4.

⁵¹ Not printed.

⁵² See circular telegram, September 21, 1944, *Foreign Relations*, 1944, vol. II, p. 188.

(1) FonOff memo promised second sentence Embtel 8678 August 25⁵³ received. Communication mentions extensive work devoted to selection of hard core, suggests Latin American replacement program ultimately must be faced without reliance on long lists but agrees our obligation to favor our friends as long as trade controls remain.

(2) Letter cites four chief reasons for original plan to reduce lists: (a) Weak evidence against some names will make difficult meeting protests from Govts and parties interested; (b) withdrawal of censorship and economic warfare machinery makes policing long lists difficult; (c) political difficulties encountered with restive neutral govts complaining of discrimination; and (d) some minor offenders coincidentally may be best export channels.

(3) Main decisions substantially as follows:

(a) Considering strong desire of American Govt to alter original program British prepared to concur that, provided a suitable alternate arrangement agreeable to both Govts is adopted, the lists shall not be diminished in Sept to hard core. For reasons cited, however, the arrangement should still involve selecting a hard core by application of existing standards rather than removing a further batch of lesser offenders. Feel it impossible to hold existing list less a few meritorious cases until May 1946 and desire at all costs to avoid continuation of periodic deletions which undermine stigma attached to those still on the lists because of impression that any still listed may come off at any time.

(b) British propose hard core be postponed from Sept until Nov and concur entire lists be dropped not later than May 1946. It may moreover be necessary at any time to review specific cases in which some particular Allied interest attaches.

(c) If United States Govt concurs in this compromise British propose that Neth and French Govts represented on London committee be informed. Suggest also that missions in territories where further mass deletions are envisaged before reduction to hard core be instructed to make their recommendations in accordance with compromise plan. Embassy comment: This appears to suggest speed up of deletion recommendations from Latin America.

(d) FonOff understand from Collado that whole question will be reviewed with interested Washington agencies in light of changed conditions arising from conclusion of Japanese war and that FonOff will be informed of conclusions.

Please cable if Dept concurs paragraph (c).

Full report airmail.

WINANT

⁵³ Not printed.

740.00112A EW/10-145 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, October 5, 1945—6 p. m.

8833. Urtel 10198 Oct 1.⁵⁴ PL Committee has been giving careful consideration to various plans re future of List, particularly that suggested to Brit in letter reported your 10197 Oct. 1.⁵⁵ Committee was disturbed by Brit reply since it in effect rejected possible US counter-proposal prior to receipt. In view of Brit position, we are willing to adhere to present formula, namely, reduction of List to hard core in Nov and withdrawal of Lists in May 1946. It is necessary however that Brit agree in return that procedure for determining hard core be acceptance of results of working parties. This means acceptance, on Western Hemisphere side, of names presently approved by working party for hard core plus such additions as may be made by working party in future. It appears to us that only in this way can implementation on a fair and expeditious basis be made of program for hard core reduction in Nov and elimination in May. Otherwise, reexamination of entire program would be necessary.

It should be pointed out that we will use same procedure re working party on Eastern Hemisphere. Dept and other agencies concerned with PL are accepting hard core for Eastern Hemisphere which has been worked out in London and we are neither making nor intend to make independent review. We feel Brit should do same with regard to Western Hemisphere. Gravity of situation in WH is demonstrated by chart being forwarded to you by air mail. Statistical analysis indicates sharp disagreement between Brit in London and recommendations of missions and working party.

You are requested to address MEWFO immediately on this subject. You should make it clear that this Govt's reaffirmation of adherence to original formula is conditioned upon Brit acceptance of working party list for Western Hemisphere.⁵⁶

In order to assure you first opportunity of informing Brit, Dept will not advise Brit Emb here of this proposal until Oct 9.

ACHESON

⁵⁴ Not printed.

⁵⁵ Not printed. This proposal was that the date of complete withdrawal of the lists might be advanced to February 1946. In that case Washington wished "to consider the advantages of omitting intermediate bulk deletions and maintaining the lists at approximately their present size up to such earlier date of complete elimination." (740.00112A EW/10-145)

⁵⁶ Summary of this telegram transmitted in circular telegram of October 11, 1945, noon, to the Diplomatic Officers at Paris, Brussels, Moscow, Madrid, Lisbon, Bern, Cairo, Caserta, Ankara, Stockholm, Berlin, Belgrade, Bucharest, Helsinki, Warsaw, Copenhagen, Oslo, Sofia, and Athens.

740.00112A EW/10-1545: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, October 20, 1945—noon.

9290. Dept has discussed with Brit Emb here on basis of tel received by them from MEWFO and on basis your 10752, Oct 15⁵⁷ question of PL reduction. Please bring following points to attention of Brit:

(1) PL in Eastern Hemisphere was near peak on V-E Day. As of V-E Day List in Western Hemisphere had already been very substantially reduced. If 35% were calculated as of peak of List in both Hemispheres, the resultant figure would seem to us to be more justifiable.

(2) While we sympathize with Brit desire to set definite figure at this time, we wish to point out that we suggested establishment of such a figure six months ago but were unable to reach agreement on this basis at that time. We are now faced with situation here in which composition of list must be calculated on basis of over-all policies of our Govts rather than on arbitrary conformity to particular figure. We cannot operate completely divorced from recommendations of missions in Latin America and from desire of those Latin American governments which have cooperated with us to have List maintained for some further period at reasonable figures in order to carry forward replacement and other programs which were initiated only after repeated requests from both of our Govts.

(3) We wish to point out that in many countries consequences of deleting certain names from List will be the return of properties to their former owners and that to the extent that these returns are made our objectives both of economic security and of possible control of such properties for reparation purposes will be defeated. In this connection we point out that the Inter-American Economic and Social Council⁵⁸ will have its first meetings on Nov 15 and at that time it is planned to present an over-all economic security program and program for bringing the excess of German assets above the claims of the other American republics into reparation pot.

(4) We should point out that the difference between the procedures of the Washington and London Working Parties as described in Brit letter does not to us seem to be real. It is assumed that US representative on London Working Party has concurred in many cases on basis

⁵⁷ Not printed.

⁵⁸ A permanent Inter-American Economic and Social Council—subsidiary to the Governing Board of the Pan American Union—was created by Resolution IX of the Final Act of the Inter-American Conference on Problems of War and Peace, held at Mexico City, February–March, 1945.

of deference to Brit wishes and that flexibility has been maintained on approximately same basis here in working party negotiations. It is assumed Brit representative has in the main been willing to recommend to his Govt List as it is being compiled by Washington Working Party just as US representative in London has been willing to recommend in its entirety list compiled in London.

(5) We feel considerations above mentioned make it desirable to proceed along course previously suggested by us, namely, adoption of findings of both Working Parties as final. However, in order to reach agreement on this matter we will be willing to recommend to PL Committee suggested proportion of 35% basing that figure on List on both sides at its peak. We feel this figure would enable us to give some, though far from complete weight, to recommendations of missions and to desires of certain of the other American republics for maintenance of List and to preserve our position pending meeting of Inter-American Economic and Social Council which has been mentioned above. Should it become necessary for unforeseen weighty political reasons to increase very substantially the number of names to be retained for a given country (for your info Dept has Argentina in mind) over that now contemplated for that country, the Committee would probably wish to be free to discuss with Brit a slight increase in the over-all 35%. It is anticipated Brit will not object to this reservation since the increase itself would be political question.

(6) We feel Nov 12 sets impossible deadline. We shall have to make haste to effect reduction on Nov 29.⁵⁹

BYRNES

[On July 9, 1946, the Department of State with the concurrence of the Departments of the Treasury, Justice, and Commerce announced the withdrawal of the Proclaimed List of Certain Blocked Nationals. This measure was decided upon after extensive consultation with the British and Canadian Governments, which were taking similar action with respect to the British Statutory List and the Canadian List of Specified Persons. For text of the announcement, together with a memorandum describing the history and scope of the Proclaimed List, see Department of State *Bulletin*, July 21, 1946, pages 112 ff. For additional information, see George N. Monsma, "Former Proclaimed List Nationals and American Foreign Trade," *ibid.*, May 26, 1946, pages 875 ff.]

⁵⁹ The date decided upon for reduction of the Proclaimed List was November 26, and on that date the list was reduced by about 5,000 names to a hard core of approximately 6,000 names. For text of a statement released to the press on November 28, 1945, see Department of State *Bulletin*, December 2, 1945, p. 900.

CONCERN OF THE UNITED STATES OVER ENEMY ATTEMPTS TO SECRETE FUNDS OR OTHER ASSETS IN NEUTRAL COUNTRIES; IMPLEMENTATION OF THE SAFEHAVEN PROGRAM ¹

800.515/1-1645

The Secretary of State to Diplomatic and Consular Officers Except Those in the American Republics

WASHINGTON, January 16, 1945.

SIRS: In a circular airgram of August 19, 1944,² the Department transmitted Bretton Woods Resolution VI to all diplomatic officers. For the convenience of consular officers, a copy of the Resolution is enclosed herewith.³ Subsequently, in circular airgrams of August 23 and September 28,⁴ the Department requested the missions located in the neutral European capitals to investigate and report any evidences that enemy capital has been or is being invested in those countries.

This Government is attempting through all available means to obtain information concerning enemy investments and plans, and the activities of persons which could be employed as a means of preserving the enemy's economic, political and military potential abroad after the cessation of hostilities. There is evidence that the enemy, in tacit acknowledgment of defeat, is seeking refuge in neutral and friendly countries for persons and assets in order to remove them from anticipated Allied controls. The primary purpose of this instruction is to direct the Missions' attention to the importance of the SAFEHAVEN project as a phase of post-hostilities economic security, to suggest a long-range reporting task, and to have begin as soon as possible a flow of current information regarding suspect persons, entities and trans-

¹ For previous documentation, see *Foreign Relations*, 1944, vol. II, pp. 213 ff. Documentation relating to the Replacement Program for Axis Assets in the American Republics, the Western Hemisphere counterpart of the SAFEHAVEN Program, is contained in compilations for the separate countries, *ibid.*, 1945, vol. IX.

² *Ibid.*, 1944, vol. II, p. 218.

³ Resolution VI was designed primarily to get the neutral countries to prevent secretion within their territories by Axis governments or nationals of assets, currency, gold, art objects, and other materials of value; for text, see *Proceedings and Documents of the United Nations Monetary and Financial Conference, Bretton Woods, New Hampshire, July 1-22, 1944* (Washington, Government Printing Office, 1948), vol. I, p. 939. For documentation relating to this Conference, see *Foreign Relations*, 1944, vol. II, pp. 106 ff.

⁴ *Ibid.*, pp. 220 and 234, respectively.

actions. It is not possible to state at this time precisely the disposition which will be made of such assets or to describe in detail the controls which will be imposed upon undesirable persons, because these are matters requiring discussions among and concerted action by the United Nations, or by Allied control authorities. SAFEHAVEN information will, however, be of immediate value to this government in formulating plans for the post-war disposition of the enemy's foreign influence and of subsequent and greater value in expediting the execution of such plans. In furtherance of these objectives you are requested to transmit at an early date all presently available information requested hereinafter and to obtain through all possible sources additional data which might prove useful. It is important that each diplomatic and consular office be prepared to keep the Department currently informed on developments in this field for several years following the cessation of hostilities in order that any resurgence of enemy activity may be quelled in its inception.

For the purpose of defining what should be reported under this instruction, the term "enemies" should be understood to include persons or entities in any of the Axis countries, or countries which have been or are allied with the Axis, and nationals of any country who in your discretion could be considered a present or potential threat to the effective execution of Allied control plans. In carrying out this instruction the Mission's attention should be directed in the first instance to firms and individuals domiciled in or controlled from Germany and, with respect to those whose ownership resides elsewhere, to those whose activities fall within the criteria for Proclaimed List⁵ action. It is obvious that in this, as in other reporting matters, the Mission is the best judge initially of the relative importance of particular cases and of the priority to be assigned to them. Particular attention is directed to the discretion lodged with the Missions by the above definition of "enemies".

The project outlined below has two aspects, viz: the reporting of current information and analysis of existing information from the SAFEHAVEN viewpoint. For the former the Department is largely dependent on the field; the latter requires close cooperation between the Missions and the home agencies working on these matters. Reporting current SAFEHAVEN information should be given a very high priority, but the Missions are not expected to report again to Washington detailed information they have already made available. Rather, it is

⁵ For documentation on Anglo-American cooperation on policies and problems concerning the Proclaimed and Statutory Lists, see pp. 827 ff.

thought that the review of the Proclaimed List required by the Department's circular telegram of September 20 [21],⁶ will be a convenient occasion for the Missions to begin studying the SAFEHAVEN implications of materials already in their files. The Proclaimed List review will undoubtedly reveal cases of interest from the SAFEHAVEN viewpoint whose Proclaimed List aspects were not sufficiently important to have resulted in their having been reported previously. Additionally, if SAFEHAVEN is kept in mind when the Missions' listing files are reviewed, certain relationships may be found to exist that make it desirable to report now the Missions' post-listing information regarding some Proclaimed List nationals, information that has been recorded in the Missions' files but not reported heretofore for the reason that Proclaimed List reasons did not require such action. While the Missions are concerning themselves with reporting current information and with the longer-range task of reviewing their files, the data already in Washington will be collated. During that process, particular points will arise that the Missions will be requested to clarify; and it is contemplated that at a later date the Missions will be asked to check the accuracy of Washington analyses based on previously reported information. To the extent that Missions have been able before then to forward well-organized analyses based on the materials available to them, of course, the work will be speeded and the necessity for exchanges with the field reduced.

In addition to current reporting, which is almost entirely a Mission responsibility, the following aspects of the project will require close cooperation of the field and the home offices:

A. The preparation of a register of all known enemy assets.

The necessity of such a register for the information of those working on economic security for the post-war world is obvious. The register must, in order to meet peace-table eventualities, be as comprehensive and detailed as possible. The Missions should give first attention to reporting important enemy assets not covered by Proclaimed List or other regular economic reporting. If detailed reports regarding enemy assets have been submitted pursuant to instructions unrelated to economic reporting, the Missions should whenever possible refer to such other reports, in order that they may be found in Washington. In connection with the register, it should be kept in mind that, because of their obvious enemy ownership, some very important German interests in the country to which you are accredited

⁶ *Foreign Relations*, 1944, vol. II, p. 188.

may not have been reported in adequate detail for the register's purposes when the concern was listed. Assets whose enemy ownership is not a matter of common knowledge should, of course, be reported as soon as possible, leaving until later the filling in of details regarding well-known German holdings.

The Missions' reports for the register should show:

(a) A description of the assets including their nature, value, location, etc.

(b) The names of any persons who may be concealing the enemy ownership of assets (such persons should be considered for inclusion in the Proclaimed List) and

(c) The names of the true owners of the assets.

In compiling a register, although equal emphasis should be given to both, a distinction should be made wherever possible between looted assets and other enemy held assets. In determining such a distinction it may be helpful to consider separately those assets owned by enemies prior to 1939 and those acquired since 1939. It may also be helpful to give special attention to those assets which are known or believed to have been owned by persons in enemy occupied areas on or after the occupation of such areas. Looted assets are those owned by persons or firms in territory now or formerly enemy occupied and which since occupation have passed to enemy ownership. They include both properties which have been transferred from enemy occupied territory and properties which originally were located in non-enemy territory but title to which has passed to an enemy.

The types of assets concerned are various, but the following items are of particular interest:

(1) Bank balances and gold holdings and transfers thereof, whether between central banks or otherwise.

(2) Gems, gold privately owned, currency, art objects, stocks of merchandise, etc.

(3) Real estate, including leaseholds (e.g., industrial, commercial, mining, agricultural, and residential properties).

(4) Securities, including investments in securities of neutral and other governments, as well as industrials.

(5) Obligations owing to the enemy in the form of mortgages, bills of exchange, insurance policies, annuities, promissory notes or other evidences of indebtedness or book credits of any kind.

(6) Patents, trademarks and copy-rights and transfers, assignments, licenses, etc. in connection therewith.

(7) Beneficial interests under trusts or estates of deceased persons.

(8) Commercial, industrial, financial or other enterprises which in any way represent enemy assets, looted or otherwise. This item should be broadly interpreted to include old as well as new investments of every kind in which an enemy has an interest. In this connection it will be noted that new investments, both open and cloaked, may

represent flight capital or looted assets. Such investments might include holding companies and minority interests in established domestic firms.

You should report in detail concerning any enemy-owned assets which come to your attention. Your investigations should concern not only assets presently located in your area but also those in transit, particularly where the assets emanate from a neutral European country. It is possible that you already have reported such information in connection with a related subject, such as a recommendation for Proclaimed List action, in which case a reference to the number and date of the communication will be sufficient.

B. Reporting on enemy individuals and their activities.

Simultaneously with the compilation of a register of enemy assets, it is desired that the Missions' function of reporting on individuals be oriented to include a survey of enemy persons and their activities. This will require continuous fact-finding on persons of enemy nationality for a period of years in order that the Department will be able to sense any attempts on the part of the Germans in any part of the world to maintain and improve their technical abilities with the view of fitting into a general German plan for a rearmaments program inside Germany at some rather distant future date. To that end you are requested to report on enemy persons in the country to which you are accredited, particularly with regard to the following:

1. Enemy technicians, financial experts or managerial help, particularly recent arrivals, employed by any enterprises irrespective of nationality in your area, or evidence that such persons are attempting to place themselves in positions where they could assist in the development of the industrial and military potential of your territory. This would include persons who are being or may be used to develop Nazi potential through the medium of partnership relations, employment connections or by serving in advisory capacities. You should also report on business enterprises with which these persons are associated and also those which have been so allied with the enemy's economic or military organization in the past that they may offer safe haven for enemy skills by providing opportunities for technical experience, research facilities, etc. It is predictable that the persons who are enemies within the terms of this instruction will attempt to disguise themselves for a considerable period such as by posing as common laborers and refugees.

2. Careful attention should be given to enemy scientists engaged in private, governmental or university research since it is to be expected that such persons will want to maintain and improve their skills and keep abreast of any developments in their respective fields by engaging in research work in all countries affording these opportunities.

The Missions should consider this as a continuing assignment. The order in which individuals are reported on will be governed princi-

pally by the Missions' estimates of the relative importance and timeliness of particular cases. Such factors as religious adherence, disavowal of inimical political philosophies, and employment in the country to which you are accredited for several years prior to the outbreak of the war, should not in themselves be considered as sufficient grounds for omitting such individuals from reports on this project. Your reports on enemy personnel should include descriptive data, such as details of training and relevant facts on previous employment. Although information on enemies recently employed in any of the above mentioned capacities is of primary interest, information on individuals employed in this type of activity subsequent to 1933 will be extremely useful. In compiling such information, the following are suggested as possible sources of information: (1) labor registrations; (2) immigration files; (3) police records; (4) university, college and technical school catalogs or faculty biographies; (5) biographical sketches in industrial and scientific publications; (6) Allied intelligence sources.

You should not hesitate to report unconfirmed rumors or attempts by the enemy to transfer his assets to places of safekeeping abroad in anticipation of impending defeat or of the movements of enemy persons seeking refuge for similar reasons. It is possible that the Department can obtain proof from other areas of the world or from enemy territory when Allied control over it is established.

The Proclaimed List should contain the most important persons and firms within your area who fall within the terms of this instruction and therefore it is suggested that the list be reviewed for the purposes stated herein in the initial stages of your work on the project. If you have not followed closely the activities of the listed persons and entities since they have been included in the list, you should now conduct investigations. It is possible that you have already begun the review required by the Department's circular telegram of September 21, 1944, 4 p. m. In cases where you believe the objective of controlling or thwarting enemy activities of the nature set forth in this instruction could be achieved through inclusion of the names of individuals or firms in the Proclaimed List, you should forward a recommendation to this effect with your report.

Your British colleagues have already received instructions covering this subject and have been requested to cooperate with you in this project. You should arrange to consult and work with them as closely as possible in order to attain the maximum of information. Our final objective is to obtain, of course, complete coverage of all sources available to both you and your British colleagues so that the information exchanged may be of maximum mutual benefit. The close liaison with the British presently maintained for listing, eco-

conomic intelligence, blockade control and related matters should be extended to SAFEHAVEN. The Missions may, if they see fit, work out arrangements with the British for dividing the labor of preparing the reports hereinbefore requested. If such cooperation is obtained, it is desirable that both British and American Missions use the report form mentioned below. If the Missions see fit, transactional, operational and progress reports, as distinguished from the individualized status reports called for by this instruction, may be made through the minutes of joint committees in a manner similar to the economic intelligence reporting presently carried on at Lisbon and Madrid by Anglo-American economic intelligence committees. Even if joint reporting should not be feasible in your area, you should provide your British colleagues with copies of your routine SAFEHAVEN reports, and it is hoped that they will do likewise for you under their standing instructions to collaborate with you on SAFEHAVEN matters. This will ensure that Washington, the British home agencies and the London Embassy will all have the same information from the field. The American Embassy at London will be the European Coordination center for SAFEHAVEN work; therefore, all communications regarding this project should be repeated or copied to it. Outgoing Departmental communications to you on SAFEHAVEN will be copied to London.

You should approach informally other Allied Missions, especially the French, Dutch and Belgian, and discuss with them SAFEHAVEN information which you or they may have collected. Your British colleagues have been similarly instructed; and it is suggested, therefore, that any approaches to your other Allied colleagues would be best made in conjunction with your British colleagues.

The chief of mission should designate a qualified Foreign Service or Auxiliary Foreign Service officer to coordinate the fact-finding and reporting on this project in the country to which he is accredited and should solicit the cooperation of all intelligence organizations of this government operating in the country. The coordinating officer should, of course, utilize the commercial, banking and governmental contacts afforded the office of the Commercial Attaché along with the contacts available at the various consular posts.

For the convenience of the reporting officer, the Department has devised a simplified form which may be utilized in forwarding any information, however brief, touching upon this project. A sample of the form is enclosed herewith.⁷ The report should be forwarded in hectograph and two copies sent to the American Embassy at London. The Department has no objection to the preparation of such reports under Embassy or Legation directive by the various consulates, provided that the supervising Embassy or Legation checks and ap-

⁷ Not printed.

proves them before they are forwarded to Washington and London, in order to make sure that all available information has been included. You should repeat to other missions all reports containing information which might conceivably be of interest to them, particularly cases requiring investigation or other action by them.

In order to expedite prompt distribution, all cables, airgrams, form replies, and despatches on this subject should contain the code word "SAFEHAVEN".

You should at all times have due regard for the delicate and highly confidential nature of this project.

This instruction is sent *for action* to all posts in Spain, Portugal, Sweden, Switzerland, Eire, Tangier, Turkey, Iran and Iraq. Although it is recognized that these instructions will not apply equally and in some cases not at all, the remaining posts should report in conformity with these instructions any pertinent information coming to their attention.

Very truly yours,

For the Secretary of State:
W. L. CLAYTON

800.515/1-2545 : Telegram

*The Acting Secretary of State to the Ambassador in Turkey
(Steinhardt)*

WASHINGTON, January 25, 1945—3 p. m.

115. We have under active consideration approaches to all of the neutral European Governments concerning implementation of Bretton Woods Resolution VI (reference Department's circular telegram September 29⁸) and accomplishment of SAFEHAVEN objectives (reference Circular airgrams August 23, and September 28⁹). In latter connection you will soon receive by circular airmail instruction details concerning SAFEHAVEN project.¹⁰ Approaches to the neutrals will be tailored to fit the peculiarities of each country and will be made at a time when this Government is in a particularly favorable bargaining position. For example, during the recent trade negotiations the Swedish Government recognized and agreed to implement the resolution,¹¹ and we are further encouraged in our hopes for ultimate success by the enactment of decrees by the Swedish Government aimed at preventing foreign exchange transactions between Sweden and Germany.¹² We contemplate similar demands upon Spain and

⁸ *Foreign Relations*, 1944, vol. II, p. 235.

⁹ *Ibid.*, pp. 220 and 234, respectively.

¹⁰ *Supra*.

¹¹ See *Foreign Relations*, 1944, vol. IV, p. 671, paragraph (e), and pp. 672-678, *passim*.

¹² See section entitled "Negotiations of the United States and the United Kingdom with Sweden for the cessation of Swedish exports to German-occupied Europe", vol. V, pp. 731 ff.

Switzerland¹³ in connection with trade negotiations to be held in the near future with those countries.

We anticipate that our desiderata with regard to Turkey will soon be formulated and submitted for your consideration and recommendation. However, the liquidation of German banks and insurance companies (reurtel 2334, December 9,¹⁴ and related communications) present a problem of immediate urgency. It is important that Axis assets presently located in Turkey be preserved in a readily identifiable form as there is a danger that such assets will be obscured or lost track of by transfer of ownership. Although we fully approve of the action of the Turkish Government in ordering the transfer of the assets and policies of the German banks and insurance companies to local institutions, measures should be taken to assure that such assets are preserved for disposition in accordance with Allied policy to be adopted. Therefore, if the Turkish Government has not already done so, we suggest that you urge it to assign immediately to the German banks and insurance companies supervisors or liquidators to prevent dissipation, manipulation, or concealment of assets. It is also suggested that you urge the government to block the proceeds of liquidation and institute any other measures necessary to prevent the proceeds from being made available for free use of the Germans.

It is hoped that you will find it possible to obtain, through the Turkish Government or otherwise, more information than has been possible in the past regarding the use of important German accounts now being transferred to other institutions.

Please report promptly your actions on this instruction and the reaction of the Turkish Government.

GREW

740.00112EW/3-645 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, March 6, 1945—1 p. m.

[Received 9:09 p. m.]

1425. For Department, Treasury and FEA¹⁵ from Currie Mission.^{15a}

Your 935 of March 3.¹⁶ You will note from our 1397¹⁷ that Swiss

¹³ See section entitled "Negotiations of the United States, United Kingdom, and France with Switzerland for the cessation of exports to Germany", vol. v, pp. 765 ff.

¹⁴ Not printed.

¹⁵ Foreign Economic Administration.

^{15a} Delegation headed by Lauchlin Currie which negotiated with the Swiss on cessation of exports to Germany.

¹⁶ Not printed; it requested a detailed report on progress thus far (740.00112-EW/3-345).

¹⁷ This telegram, dated March 5, reported on measures which the Swiss had agreed to consider undertaking at Allied request in connection with the SAFE-HAVEN program; for text, see vol. v, p. 782.

have agreed to major points covered in Schmid's¹⁸ discussion with Surrey¹⁹ in Paris.

Throughout negotiations Swiss emphasized concepts of neutrality and sovereignty and have insisted that documents signed cannot mention Resolution VI of Bretton Woods which uses concept "enemy". However in addition to points covered in 1397 Swiss are making general statements in which Swiss Government commits itself "to prevent territory of Switzerland and that of principality of Liechtenstein from being used for disposal, concealment or reception of assets which may have been taken illegally or under duress during the war" and that "every facility will be given to dispossessed owners to claim in Switzerland and Liechtenstein their assets found there. Swiss Government will also "prevent the concealing, disposing of, or dissipation of assets of persons falling under the various blocking decrees issued by Swiss Government in the past or which it will issue in future" and agrees to consult with Government of each blocked country before relaxing or abolishing the control measures.

Points very difficult to obtain were:

1. Agreement to take a census of any assets other than German. Only after very strong pressure did Swiss agree to complete census of assets of all blocked countries as indicated in 1397.
2. Statement that before relaxing or eliminating any controls Swiss Government will consult with Government of block[ed] country.
3. Agreement to cease purchasing gold from Germany.

Resistance to points (1) and (2) centered in Swiss Bankers Association which has unsuccessfully tried to keep Government from getting information on other than German assets. As indicated in 1397 it was only Saturday that agreement to these three points was obtained.

Points discussed with Surrey which have not been specifically agreed to are

(a) Census of patents, trade marks, or gold acquired since 1939. However Swiss have controls over importation, exportation, and all dealing in gold, et cetera, and will reexamine such controls from point of view of SAFEHAVEN objectives. Furthermore, we are assured that the compensation office which administers controls has intimate knowledge of all firms dealing with Germany since 1939 and in connection with census and blocking will examine ownership control and dealings with Germany of all Swiss firms, trusts, and holding companies since prior to the war.

(b) Census of foreign currencies held in Switzerland. All trading in such currency has, however, been prohibited and I feel that we can obtain census of dollar currency in connection with the relaxation of United States currency import controls.

¹⁸ Presumably Orvis A. Schmidt, Director, Foreign Funds Control, Treasury Department; member of the Currie Mission.

¹⁹ Walter S. Surrey, Attaché, U.S. Legation in Sweden.

(c) Census of bearer securities payable in foreign currencies. Swiss have agreed to establish controls over importation of assets which may have been looted and it is agreed by them that bearer securities fall within this category. They are also considering desirability of having Government implement controls of Swiss Bankers Association already in effect.

In view of action already taken by Swiss Government, its general commitments to cooperate on SAFEHAVEN program, I feel that firm basis has been established for effective Swiss program and that they will give favorable cooperation to any suggestions we make hereafter in connection therewith.

Text of Swiss commitment on SAFEHAVEN, which is being given in a letter separate from that relating to trade items, will be cabled as soon as signed.²⁰ In the interim, suggest that the Swedes be pressed for as effective a program in Sweden as possible.

Repeated London 730; Paris 221. [Currie Mission.]

HARRISON

800.515/3-1745 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 17, 1945—midnight.

2099. SAFEHAVEN objectives set forth in Department's 1730, March 7,²¹ are considered of primary importance justifying the refusal to enter into trade agreements with Sweden should it fail to adhere to and implement the SAFEHAVEN objectives. Moreover, it will be a matter of necessary self-protection for this Government to review its Treasury general license and blocking policies with respect to any neutral country which fails to execute the SAFEHAVEN objectives. Accordingly, Boheman's²² request for signing of interim agreement with the inclusion of SAFEHAVEN safeguard clause, London's 2636, March 14, 252 to Stockholm, and 2673, March 15, 255 to Stockholm,²³ can not be accepted. Pending conclusion of negotiations of SAFEHAVEN questions, Department has no objection to tentative unsigned agreement being reached on other outstanding questions even though over-all agreement can not be signed. During period between agreement on such questions and negotiations on SAFEHAVEN questions there is no

²⁰ For text of the letter by the Head of the Swiss delegation (Rappard), dated March 8, see vol. v, p. 785.

²¹ Not printed; it transmitted the draft text of a note on SAFEHAVEN to be included as integral part of a proposed Anglo-American-Swedish Trade Agreement; for text of the note as it was finally presented informally to the Swedish Government, see despatch 5543, May 9, from Stockholm, p. 881.

²² Erik C. Boheman, Swedish Under Secretary of State for Foreign Affairs.

²³ Neither printed.

objection to considering agreements reached on other questions as being temporarily operative subject to review should the Swedes fail to satisfy us on SAFEHAVEN. It should be made clear to Boheman that within the next few weeks we will enter into negotiations on SAFEHAVEN questions, presumably in Stockholm, and that signing of overall interim agreement and post-hostilities supply agreement will be conditioned on satisfactory conclusion of SAFEHAVEN aspects of negotiations.

It is believed undesirable to initiate discussions on SAFEHAVEN questions with the Swedes before a position vis-à-vis the British has been fully established. In discussing SAFEHAVEN objectives with the British it should be pointed out that while there are discrepancies between Swiss agreement and Swedish objectives, it is the Department's intention to use the Swedish objectives as basis of negotiations with other neutral countries. It is hoped that subsequently we can expand the Swiss agreement to cover full objectives set forth in Department's 1730, March 7th. It must be realized that only by obtaining full agreement to those objectives will the SAFEHAVEN program be successful. While it is realized that control of Germany will be of substantial assistance in accomplishing our SAFEHAVEN objectives, it is believed important that the neutral countries at this time initiate a full program which can be supplemented by appropriate action in Germany at such time as we occupy Germany. However, even subsequent to the occupation of Germany, the success or failure of our SAFEHAVEN program will be dependent in large part on the extent of cooperation which we receive from the neutral countries.

It is requested that you continue discussions with the British on SAFEHAVEN objectives reporting British reaction to Washington. It is contemplated that Walter Surrey will return to London and Stockholm in approximately one week in order to participate in SAFEHAVEN discussions.

Sent to London, repeated to Stockholm.²⁴

ACHESON

800.515/3-1945: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 19, 1945—2 p. m.

2111. As we understand their position from your 2219, March 3,²⁵ and cable dated March 3 from British to their Embassy here, British are willing to inject SAFEHAVEN into supply purchase negotiations with Spain but are not willing to make SAFEHAVEN compliance a con-

²⁴ As telegram 507.

²⁵ Not printed.

dition precedent to formulation current 6 months' program. Additionally, even should Spanish be given to understand that *SAFEHAVEN* performance by them will directly affect our performance under the current supply program, British are not willing to cease certain supplies.

We, on the other hand, feel that it is highly desirable that the United Kingdom together with this Government take a strong and uniform position toward Spain. After due consideration, we have again concluded that wholehearted adoption and implementation of the *SAFEHAVEN* program must be a condition of any agreement or shipment of any supplies. It is our hope that the British will agree with this position and take concurrent action, thus preserving the unity of policy represented by Bretton Woods Resolution VI and the other pertinent policy declarations. Our view is that unless this stand is taken with respect to Spain now, the prospect of any salutary action on the part of Spain in the future would be considerably lessened. As an example of possible further action by this Government, Treasury is prepared to revoke the Spanish General License.

Evidence of weakness now toward Spain might seriously prejudice our position with the other neutrals. Obviously, strong action must be taken before hostilities cease and while Spain is dependent upon the United Nations for essential commodities. The war is at such a stage that we have little need to treat Spain better than other neutrals in order to obtain future supplies or services, and what little there is to gain by such treatment can not in any sense be compared to the stakes in balance in an effective control of German external assets in Spain.

It is understood that MEW²⁶ has reiterated to British Embassy Washington its desire to make a joint diplomatic presentation of *SAFEHAVEN* note to Spain immediately. Department's telegram 2016, March 15,²⁷ indicates that this procedure is also desire of this Government. It is hoped therefore, that joint instructions can be sent to Madrid in accordance with Department's 2016, March 15, as soon as possible. It is felt, however, that technical advice will not be needed in Madrid until our supply purchase negotiations get underway and until Spanish have an opportunity to study our joint note. Our purposes would therefore be better served by having Bliss²⁸ come to Washington as soon as possible.

You are instructed urgently to bring these matters to the attention of the British.

Sent to London, repeated to Madrid.²⁹

ACHESON

²⁶ British Ministry of Economic Warfare.

²⁷ Not printed.

²⁸ Don C. Bliss, Commercial Attaché at the Embassy in London.

²⁹ As telegram 490.

800.515/3-2245 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 22, 1945—1 p. m.

[Received 11:28 p. m.]

2950. From Hawkins³⁰ and Stone,³¹ SAFEHAVEN. Reference Department's 1730, March 7.³² In view of fact that following communication from Foot³³ raises important political and economic policy questions, this telegram should be called to the particular attention of Clayton³⁴ and Dunn.³⁵ Because of their recent experience in Swiss negotiations, we suggest that Currie, Orvis Schmidt and Ordop [*Gordon?*]³⁶ be consulted.

Following is text of Foot's letter to Stone dated March 21:

1. We have now considered together with the other interested departments the proposals regarding SAFEHAVEN in Sweden put forward by the State Department in their telegram of March 7. Our views are as follows:

2. As we have already discovered in Switzerland proposals of this kind affecting the banking practices of neutral countries are apt to encounter very stubborn resistance. As a matter of tactics, it is generally advisable to proceed step by step. We think, therefore, that the best course would be to follow the Swiss precedent and press for a complete census of all Axis assets or if the Swedes prefer it of all foreign assets together with blocking measures of their equivalent. The Swedes have already gone a long way in this direction and I do not think we should have great difficulty in persuading them to go as far as the Swiss. But a demand for a full disclosure at this moment would, we think, lead to a prolonged wrangle and would be of no particular advantage since even if our demand were granted, we could make no use of the information at the present time. Our view is that we should seek an agreement on the Swiss model with all the neutral countries. Thereafter, when the Germans have unconditionally surrendered and the United Nations will presumably be in a position to acquire if they so wish legal title to German assets abroad, we shall be in a strong position to require the governments concerned to reveal to us the information they have accumulated.

3. So much for our general view. As regards the detailed proposals our comments are as follows:

3.(a) We, of course, agree with the aim of paragraph 6. In the second sentence,³⁷ however, we should prefer to say that the principles

³⁰ Harry C. Hawkins, Counselor of Embassy for Economic Affairs, London.

³¹ William T. Stone, Director of the Economic Warfare Division of the Embassy in London, and Special Adviser to Ambassador Winant.

³² See footnote 21, p. 862.

³³ Dingle Foot, Parliamentary Secretary, British Ministry of Economic Warfare.

³⁴ William L. Clayton, Assistant Secretary of State for Economic Affairs.

³⁵ James C. Dunn, Assistant Secretary of State for European, Far Eastern, Near Eastern, and African Affairs.

³⁶ Presumably David L. Gordon of the Foreign Economic Administration.

³⁷ The context was concerned with control of transactions involving Swedish nationals and those of Axis or Axis-dominated countries; the sentence under reference read: "The licensing of transactions shall be in accordance with such arrangements as are provided for by the Government of Sweden in agreement with the United States and the United Kingdom." (800.515/3-745)

on which transactions shall be licensed will be a matter for agreement between the governments concerned. This would mean the same thing but would probably be much more palatable.

3.(b) We are not at all happy about the proposal in paragraph 5 that the Swedes should provide our governments with full information concerning the movements since 1939 of Axis nationals in Sweden and of persons who come from countries now or previously controlled by the Axis. In the first place, the volume of such information would be enormous and much of it would be of little value. Secondly, we hardly feel that this is an appropriate subject to be dealt with in economic negotiations. Thirdly and most important of all, it occurs to us that "countries previously controlled by the Axis" would include the Baltic States and Finland. If we were to obtain information regarding the refugees from these countries, we could hardly refuse to make it available to the Russians. This might well lead to a demand on the part of the Russian Government that these persons should be handed over. I am sure that you as well as we would prefer that such a situation should not arise.

3.(c) We agree as I have said regarding the proposed census of all enemy assets. We doubt, however, whether we should endeavor to enumerate such assets in our opening proposals. It would, we think, be sufficient to open with a request that the Swedes should adopt much the same formula as the Swiss and then to elaborate the categories of assets during the discussions.

3.(d) As regards the proposed arrangements under paragraph 2 for licensing in accordance with arrangements provided for between the governments, please see the alternative formula I have suggested above.

3.(e) As regards the offer to provide the Government of Sweden with the services of technical personnel, we doubt whether this is necessary or whether it would be wise to suggest it. The Swedes would almost certainly reply that they are fully capable of enforcing their own laws without assistance from foreign governments.

3.(f) Paragraph 9 seems to us to present certain difficulties. We could hardly claim the United States or the United Kingdom have an exclusive interest in the adoption and the full execution of this agreement without bringing in the other United Nations. Moreover, we do not see much advantage in this provision. If the United Nations become the possessors of German assets abroad, we shall, of course, have an interest in their disposition. The second part of the paragraph [which?] deals with the submission of information to our governments by Swedish nationals is, we think, open to strong objection. The Swedes have always shown themselves extremely sensitive regarding communications of this kind. They have made it an offense for Swedish firms to supply our representatives engaged in Black List³⁸ work with information as to their trades. I do not think there can be the slightest doubt that they would reject this demand and that by insisting on it we should jeopardize the whole of the negotiations.

3.(g) As regards the adoption of Bretton Woods Resolution No. 6 (see paragraph 1) we agree that this is one of the requests which should be put forward. But we feel that as in the case of Switzerland it does not greatly matter whether the Swedes accede to the actual text of the resolution provided that we obtain the substance.

³⁸ i.e., British Statutory List, the equivalent of the American Proclaimed List.

4. It seems to us that the best course would be to follow much the same procedure as in the recent Swiss negotiations. In other words we should appoint delegations with general instructions who would be given authority to make the best possible agreement. This arrangement in our view worked admirably in Bern and we see no reason why it should not obtain equally satisfactory results in Stockholm. It would of course also be necessary to empower the delegations to reach agreement on basic rations, post hostilities allocations and minor amendments to the draft tripartite agreement.

5. If your Government agrees we shall be prepared to fall in with their suggestion and send a delegation to Stockholm in the near future.

6. It will, of course, be necessary to consider the position of the Russians and the French. We think the best course would be to inform the French and Soviet Governments of our intended negotiations and leave it to them to suggest or refrain from suggesting that French and Soviet representatives should take part in the discussions. (*End of Foot's letter*).

British informed us after receipt of their answer that it applies not only to Sweden but to all the neutral countries (including Spain). (Foot's letter covers not only Department's 1730³⁹ but also Department's 2099, March 17, 2016, March 15⁴⁰ and 2111, March 19.)

Embassy believes that British answer discloses following two main divergences between Department's 1730 and British views: (a) British feel that request for disclosure of census and freezing information should come after we occupy Germany. (b) British do not believe that we should ask for information on persons and in any event such request should not be made at this time. Because of overriding desirability of obtaining a joint United States-United Kingdom SAFEHAVEN program these differences should be resolved if at all possible. Accordingly Embassy makes following observations:

(a) British view against requesting full disclosure of freezing and census information is based on timing and tactics and does not appear to constitute any major difference in principle. Accordingly our authorities might wish to consider: Firstly, obtaining British agreement that both Governments will jointly support a request for such information at an appropriate later date. Secondly, in order to prevent any subsequent neutral argument based on estoppel, neutrals should be informed verbally during negotiations that we shall request full information at a later date.

(b) If our authorities feel that notwithstanding paragraph 3(b) of British answer Sweden should be requested for information on Axis and other related persons such request could be deferred to a later date. Perhaps Department will wish to instruct Embassy to seek British agreement to ask Sweden to make information about

³⁹ See footnote 21, p. 862.

⁴⁰ Telegram 2016, March 15, not printed.

specific individuals available at our request. If British object to this demand being associated with economic discussions the approach on this one point could be separate but simultaneous and made jointly by American and British Ministers. Embassy understands that Swedish control of all aliens in Sweden is so thorough that Swedish Government undoubtedly has requisite information available at any time.

Embassy believes that British answer does not arise from any lack of appreciation of importance or urgency regarding SAFEHAVEN and that divergences are mainly the result of genuine differences in tactics and timing. British strongly believe that we shall gain more in negotiations with neutrals by not asking too much and they feel that we should not get into the position of giving way on substantial points thus jeopardizing obtaining such objectives at a later date. Moreover, British repeatedly emphasized in our conversations with them that ultimately we can accomplish far more if we enlist neutral cooperation at the outset rather than force neutrals into unwilling compliance with our demands.

Sent to Department, repeated to Stockholm as 269. [Hawkins and Stone.]

WINANT

800.515/4-445 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, April 4, 1945—5 p. m.

2607. Discussions have been held between the Department and the British Embassy in Washington with respect to the SAFEHAVEN program and to the method of bringing our SAFEHAVEN objectives to the attention of the neutrals, particularly Sweden and Spain. We have considered, in these discussions, the proposed statement of SAFEHAVEN objectives which the Department transmitted to you with respect to the Swedish negotiations,⁴¹ the Department's proposals for incorporation of these objectives in a note to be presented at a high diplomatic level in Spain, and the British suggestion that an immediate approach along briefer and more general lines be presented to the Spanish Government at a high diplomatic level. The following are the points which seem relevant here after full discussion between the Department and the British Embassy. This telegram has been jointly drafted.

(1) It would appear that there has been some misapprehension as to the attitude taken by the United States Government on presentation of the SAFEHAVEN objectives. The Department's position is that

⁴¹ See footnote 21, p. 862.

a full and complete statement of all of our SAFEHAVEN objectives, both those which we might expect to obtain in the immediate future and those on which we might expect some resistance, should be presented at the outset. In the case of Sweden, this seems desirable because of the fact that Boheman has requested such a statement. In the case of Spain, this seems to the Department to be desirable because it will give to the Spaniards at once a full statement of those objectives which we consider important with respect to SAFEHAVEN, and will eliminate as far as possible presentation of a series of new requests from time to time.

(2) On the other hand, the Department is convinced that those persons who may conduct the negotiations or who may discuss such diplomatic representations as may be made, should be given full discretion with respect to the negotiations which they may carry on with the interested neutral governments. The Department is of the opinion that the persons negotiating on the technical level, as seems likely in the case of Sweden, or in the first instance on a high diplomatic level followed by negotiations on a technical level, as is suggested in the case of Spain, should have full discretion to gauge the measure of resistance which may be encountered with respect to certain of our objectives and to withdraw, for the present, those of these objectives which they may consider would stand in the way of achieving an immediate desirable result on the balance of the objectives. In other words, the Department's position is that although a full statement of our objectives should be transmitted to the neutrals, our negotiators should have ample authority, as was the case in the Swiss negotiations, to come away with the best bargain which may appear to them to be possible.

(3) In further amplification of this position, it may be stated that we would consider as the hard core of our SAFEHAVEN objectives, beyond which our negotiators should not retreat, the following points:

(a) Subscription in principle to Bretton Woods Resolution VI.

(b) An immediate freeze of all Axis assets or assets held for the account of the Axis or its nationals, within the particular territory concerned.

(c) Agreement to freeze satellite country assets, should the US and UK so request.

(d) Immediate inception of a census of all assets designated under sub-paragraphs (b) and (c) above, when and if applicable. We assume that such a census would be the inevitable consequence of any adequate freeze.

(4) It is believed that if this position is adequately explained, it will be apparent that the differences between our position and that which has been expressed by the British will not seem great. The Department is prepared to introduce what seems to it sufficient flexibility into our tactics by giving discretion to the negotiators but

prefers to have a full statement as indicated above presented at the outset of any negotiations either on the diplomatic or technical levels.

(5) We are prepared as soon as the British are ready to authorize an immediate diplomatic approach jointly by the British and United States Ambassadors in Madrid. We would suggest that in this approach the Ambassadors should, as indicated above, present our full desiderata but, at the same time, make it clear that we expect immediate implementation of the points made in paragraph (3).

(6) On the question of Foot's letter,⁴² and the actual statement on the SAFEHAVEN objectives which should be presented, discussions are going forward and another telegram to follow shortly will be sent.⁴³ With respect to the USSR and France, see our separate cable.⁴⁴

(7) We feel that those making the presentation may bear in mind and accordingly modify the presentation to reflect the more immediate urgency of certain of our objectives (such as the freeze). This should not, however, be done in such a way as to detract from the importance which we attach to all of our stated objectives.

Sent to London, repeated to Madrid and Stockholm.⁴⁵

STETTINIUS

800.515/3-2245 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, April 4, 1945—5 p. m.

2608. Reurtel 2950, March 22, 269 to Stockholm. Department and other interested agencies have considered carefully various questions raised in Foot's letter to Stone. As in the case of Department's immediately preceding telegram, the following arises from full discussions with British Embassy here:

2. It is believed that if we could get full disclosure at this time, considerable advantages would result which would not arise from obtaining information subsequent to Germany's unconditional surrender. Information obtained from Sweden could be used as check on information subsequently obtained from Germany, it would provide leads for investigations in Germany, and would considerably expedite our work in Germany. Accordingly, it is believed advisable

⁴² See telegram 2950, March 22, 1 p. m., from London, *supra*.

⁴³ Telegram 2608, *infra*.

⁴⁴ Telegram 2609, April 4, not printed; it conveyed the Department's position, to be discussed with the British, that the Soviet Mission in Sweden and the French Missions in both Sweden and Spain should be informed of any impending approaches to these neutral governments but that it should be made clear that there would be no postponement pending the comments of the French and Soviet Missions (800.515/4-445).

⁴⁵ As telegrams 573 and 615, respectively.

to include in our statement of SAFEHAVEN objectives at this time request for information obtained from complete Swedish census, leaving open, if necessary, possibility of compromise on basis of agreement on full disclosure at a future determined date along the lines of our preceding telegram.

3(a). Suggested change satisfactory.

3(b). Paragraph 5, Department's 1730, March 7, 428 to Stockholm,⁴⁶ was intended to cover principally persons of Axis nationality. Concerning those who possess nationality of Axis-occupied or previously occupied countries and Finland, it would be satisfactory to have agreement whereby Swedes submit information only on those who may be classified as Quislings. This is the intention and meaning of sentence 3, paragraph 5.⁴⁷ Under this construction, volume of information which Sweden would have to submit would not approach unmanageable volume. Since information on persons of Axis nationality properly forms a part of SAFEHAVEN objectives, there is no reason why it should not be included in interim and post-hostilities negotiations. It is not our intention to make this presentation so general as to include the whole problem of asylum but rather to emphasize or call attention to the fact that the problem of asylum has a SAFEHAVEN aspect which can not be ignored.

We agree, therefore, that provided considerations in previous sentence are made clear to the neutral authorities, our negotiators may have discretion as to the way in which this aspect of the problem is presented.⁴⁸

3(c). Enumeration of assets in pending proposals is designed to assist Swedes in understanding our intentions and extent of coverage of proposed agreement. It is in line with numerous requests of Boheman for clear statement of what it is we want. Should Sweden agree to give equally broad meaning to term assets but, at the same time, to desire, for political or other reasons, not to have definition set forth in agreement, such compromise would be satisfactory to us.

3(d). Proposed change satisfactory.

3(e). Offer to provide Swedes services of technical personnel was designed to eliminate argument by Swedes that their lack of technical

⁴⁶ See footnote 21, p. 862.

⁴⁷ This sentence read as follows: "The Government of Sweden also agrees to submit similar information [i.e., relating to residence, occupation, travel, etc.] on all persons who have come to Sweden since January 1, 1939 from countries which were previously satellites of the Axis countries or from countries now or previously controlled by the Axis countries where the evidence reveals that such persons are or may have been acting for or in the interest of the Axis or Axis controlled countries." (800.515/3-745)

⁴⁸ The sentence under reference indicated that such information was sought as would be relevant to ascertaining whether the persons under investigation "... are or may be acting for or in the interests of Axis or Axis controlled countries or who in the period following the occupation of such countries by the United Nations may work against the interests of the occupying authorities." (800.515/3-745)

personnel prevents execution of program. We are willing to eliminate this proposal from agreement provided we are free to make it should Swedes raise lack of personnel argument.

3(f). We agree to the elimination of this paragraph (paragraph 9, Department's 1730, March 7) on the understanding that our requirements, so far as the obtaining of information is concerned, are adequately covered by paragraph 4, Department's 1730, which deals with the submission of information arising from census.

3(g). It is believed that we should press for adherence to Bretton Woods Resolution VI and we suggest deletion of the words "adopt and" from paragraph 1 of Department's 1730. In this connection, see section 3(a) of our preceding telegram.⁴⁹

4 and 5. Department believes that initial negotiations on SAFEHAVEN should be tied up with negotiations of interim agreement and that these negotiations should be handled by Legations in Stockholm. It is believed that negotiations should begin with presentation of our specific SAFEHAVEN objectives, possibly on informal basis with Boheman and others. In previous negotiations with Swedes, it has been found that use of high-powered missions from Washington and London with attendant publicity has made negotiations more difficult. Accordingly, it is believed advisable for American-British representatives in Stockholm to conduct initial SAFEHAVEN negotiations as part of interim agreement. Should development of negotiations reveal that missions from Washington and London would be advantageous, then such missions could be sent. In this way we will be in a position to take advantage of suggestions and services of our friends in the Swedish Foreign Office and other agencies which cannot be accomplished when negotiations become matter of public knowledge and affords opportunity to those Swedish officials not sympathetic to our purposes to offer serious opposition.

6. See our preceding telegram.

Sent to London, repeated to Madrid and Stockholm.⁵⁰

STETTINIUS

800.515/4-1045 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, April 10, 1945—8 p. m.

[Received April 10—7:40 p. m.]

3666. Reurtels 2607 and 2608 and 2609, April 4.⁵¹ 1. Stone discussed with Foot Swedish SAFEHAVEN negotiations with following results:

⁴⁹ Telegram 2607, *supra*.

⁵⁰ As telegrams 574 and 616, respectively.

⁵¹ Telegram 2609 not printed, but see footnote 44, p. 870.

(a) Foot agreed with Department's 2607 and accordingly British are sending paraphrases of Department's 2607 and 2608 to Stockholm with instructions to their Minister to concert with his United States colleague in approach to Swedish Government along lines of these two telegrams.

(b) Foot was in general agreement with Department's 2608 and his only comment was a comparatively minor one on paragraph 3(b) thereof. He felt that second sentence of paragraph 5 of Department's 1730, March 7⁵² was too broad and that instead of asking for information regarding all movements since 1939, it might be preferable to confine our request to limited categories of information.

(c) Foot thought that a more effective approach to Russians and French than that suggested in Department's 2609 would be to have our Missions in Moscow and Paris deliver communications, in general terms, to the Russian and French Governments. Such general communications should indicate our SAFEHAVEN aims and general approach to Swedes and leave it to the Russian and French Governments to comment or request participation. If French desired to participate in Stockholm negotiations, British would feel compelled to accept French participation. British urgently desire American views on this point.

2. Embassy believes that British reactions to Department's 2607 and 2608 mark most satisfactory progress towards American views and that suggested difference in tactics in approaching Russians and French should not delay our joint approach to Swedes along lines of Department's 2607 and 2608.

3. Foregoing is limited to approach to Swedes. Embassy will discuss with British SAFEHAVEN approach to Spaniards and if any substantial divergences are disclosed, Foot can discuss them in Washington where he should arrive on April 16.⁵³

4. Repeated to Stockholm and Madrid.

WINANT

800.515/4-2245 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, April 22, 1945—6 p. m.

3158.⁵⁴ As the Government of Spain is aware, the United Nations for some time have been deeply concerned with the possibility that the illegal and reprehensible activities of looting and depredation, which have been carried out by the Axis occupying authorities in

⁵² See footnote 21, p. 862.

⁵³ Mr. Foot was a member of the United Kingdom delegation to the United Nations Conference on International Organization, held at San Francisco, April 25–June 26, 1945.

⁵⁴ Telegram 3157, April 22, 5 p. m., to London, had explained that telegram 3158 would transmit the text of a draft note to the Spanish Government whose content was to be discussed with the British Mission in Madrid for possible changes prior to its presentation (800.515/4-1445).

the territories of Europe which were previously and some of which are still under their domination, would lead to attempts to consummate such transactions in other countries. Moreover, the United Nations have perceived cause for anxiety in the possible flight of Axis capital for the use of war criminals and other dangerous persons and other Axis manipulation of assets located abroad to the detriment of both the peace and security of the post-war world and the welfare of the country in which such assets were located.

The Government of the United States has indicated its strong interest in these matters by its subscription to the United Nations Declaration of January 5, 1943,⁵⁵ to the Gold Declaration which was issued on February 22, 1944,⁵⁶ and by its endorsement of Resolution VI adopted at the United Nations Financial and Monetary Conference, held at Bretton Woods, New Hampshire. The Inter-American Conference on Problems of War and Peace⁵⁷ has endorsed all of these measures. The Governments of Switzerland and Sweden have also undertaken certain measures to attain the objectives discussed in this note. In these steps, the United Nations have participated and co-operated, and the interest of various of the United Nations in these measures has been directly expressed to the Government of Spain.

On October 2, 1944, the American Ambassador had the honor to present to the Minister of Foreign Affairs a note which enclosed a copy of Resolution VI of the United Nations Financial and Monetary Conference, and which requested the Government of Spain to take steps to implement that Resolution.⁵⁸ On November 6, 1944, there was addressed to the Minister of Foreign Affairs the Embassy's note no. 3334⁵⁹ with respect to the statement of gold policy, in which assurances were requested that Spain would make no future purchases of gold in which there appeared any direct or indirect enemy interest. Until now, no comment has been received with respect to either of these communications.

The attention of the Government of Spain is again called to Bretton Woods Resolution VI and the statement of gold policy contained in the Embassy's note dated November 6, 1944. Attention is also called to the United Nations Declaration of January 5, 1943 wherein the signatory nations, including the Government of the United States,

⁵⁵ For text of the Declaration Regarding Forced Transfers of Property in Enemy-Controlled Territory, see *Foreign Relations*, 1943, vol. I, p. 443.

⁵⁶ For text of the declaration issued by Secretary of the Treasury Henry Morgenthau, Jr., see circular telegram, February 22, 1944. *ibid.*, 1944, vol. II, p. 213.

⁵⁷ Held at Mexico City, February 21–March 8, 1945; for documentation, see vol. IX, pp. 1 ff.

⁵⁸ For text of this note as transmitted by the Department to Madrid for presentation to the Spanish Government, see circular telegram, September 29, 1944, 3 p. m., *Foreign Relations*, 1944, vol. II, p. 235.

⁵⁹ Not printed.

expressed their intention to regard as invalid all transfers of looted property.

It is earnestly desired that the Government of Spain join other peace-loving nations in subscribing to the principles of, and in the full and effective implementation of the terms and spirit of these declarations. In order to state specifically the present implications of such implementation the following list of objectives is presented:

1. That the Government of Spain announce publicly its intention to adhere fully to the terms and spirit of Bretton Woods Resolution VI, the Gold Declaration of February 22, 1944, and the principles enumerated in the United Nations Declaration of January 5, 1943.

2. That the Government of Spain freeze immediately and simultaneously with the public announcement referred to in Paragraph 1, all assets referred to in Items 3 and 4 below, and other such assets as may be subsequently uncovered by the Government of Spain or brought to its attention by the United States. Further in this connection that the Spanish Government investigate all transactions involving the transfer of assets to Spain or a change in title in assets located in, or managed from, Spain which have occurred since January 1, 1939 between Spanish subjects or persons subject to Spanish law or persons acting on behalf of such persons on the one hand, and persons or subjects of Axis or Axis-controlled countries, or persons, wherever situated, acting on their behalf, on the other hand, if such transactions involve sums exceeding ten thousand dollars or assets valued at ten thousand dollars or more, regardless of the amount of money involved in such transactions. That the Spanish Government immobilize assets so transferred where there is evidence that persons or subjects of Axis or Axis-controlled countries or persons acting in their behalf have an interest in such assets, direct or indirect, or where there is an obligation, expressed or implied, owing to such persons or subjects arising out of such transactions. That the Spanish Government make available full details to the US and UK Governments concerning any such transactions where there is evidence of such interest in the assets so transferred or where the assets were transferred without the payment of adequate and appropriate compensation. The principles for the licensing of transactions involving the assignment, transfer, withdrawal, payment, hypothecation, or other disposition of such assets shall be in accordance with such arrangements as are provided for by the Government of Spain, in agreement with the United States. Any such arrangements shall provide for submission to the United States of full information on all licenses so issued.

3. That in order to execute fully its controls, the Government of Spain immobilize and facilitate the return of any looted assets, as described in Bretton Woods Resolution VI, regardless of present ownership of such assets.

4. That the Government of Spain conduct a detailed census of all assets, regardless of form, located in Spain or held abroad through persons or firms in Spain which, or any interest in which, direct or indirect, is owned or controlled or held by, in behalf of, or in the name of, persons and firms who are nationals or residents or domiciled in Axis countries or in countries at any time controlled by Axis countries. The term assets, as used in this connection, shall include,

but not by way of limitation, any real property or interest therein, enterprise (commercial, industrial, financial or scientific), security, or interest therein, patents, trademarks, corporate and contractual rights, including management contracts, patent licenses and arrangements, insurance policies and reinsurance contracts, bank accounts and deposits, including trusteeship accounts, safe deposit boxes, vaults, checks, drafts, credits, gold and other precious metals, options and any other types of arrangements or undertakings, written or unwritten. Further in this connection, that the Government of Spain provide that the penalty for failure to report fully or correctly will be sufficiently severe as to compel the submission of full and correct information even when large assets are involved, and that the Government of Spain make available to the United States the information obtained from the census.

5. That the Government of Spain provide the United States with full information concerning all persons in Spain who possess the nationality of Axis countries and all such persons who have entered into Spain since January 1, 1939 and who are presently in Spain, regardless of present nationality. Such information shall include details as to their residence, occupation, travels from Spain made since initial entry into Spain, and such other information as will be relevant to ascertaining whether such persons are or may be acting for or in the interests of Axis or Axis-controlled countries or who, in the period following the occupation of such countries by the United Nations, may work against the interests of the occupying authorities. Also, that the Government of Spain submit similar information on all persons who have come to Spain since January 1, 1939 from countries which were previously satellites of the Axis countries or from countries now or previously controlled by the Axis countries where the evidence reveals that such persons are or may have been acting for or in the interest of the Axis or Axis-controlled countries. It is further recommended that the Government of Spain submit similar information to the United States on all persons who, during the period of hostilities, may enter Spain from Axis or Axis-controlled countries and such other persons as may be referred to the Government of Spain by the United States.

6. That the Government of Spain establish effective controls with respect to any transactions with the Axis or Axis-controlled countries, or the nationals of such countries in order to prevent entry into Spain from such countries of any assets or the removal from Spain to such countries of any assets. The principles on which transactions shall be licensed will be in accordance with such arrangements as are provided for by the Government of Spain in agreement with the United States. Any such arrangement shall provide for the submission to the United States of full information on all such transactions which are authorized.

7. That the Government of Spain, after the foregoing measures have been put into effect, investigate all suspicious cases, including, but not limited to, cases referred to it as being in such category by the United States and report the results of all such investigations to the United States.

8. That the Government of Spain prosecute vigorously violations of the measures referred to in this agreement and take such other steps as are necessary to obtain rigid enforcement of such measures.

9. That the Government of Spain establish a suitable procedure by which its officials concerned with the execution and operation of the foregoing measures may be consulted with at appropriate intervals by representatives of the United States regarding the implementation of such measures.

Sent to London, repeated to Lisbon as Department's 635, to Madrid as Department's 668, to Paris as Department's 1624, and to Moscow as Department's 932.

STETTINIUS

800.515/5-145 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 1, 1945—7 p. m.
[Received May 2—6:30 p. m.]

912. I presented to the Foreign Minister⁶⁰ at noon today a note embodying the contents of Department's telegram No. 668, April 22, 6 p. m.⁶¹ The following changes were made in its text:

(a) There was inserted at the beginning of the penultimate sentence of article two, section 2^{61a} "That all future transactions in such assets be prohibited except under license by the Spanish Government and the principle for licensing of transactions, etc."

(b) The date January 1, 1939 was changed to September 1, 1939 wherever it occurred in the original text. It will be recalled that the Spanish Civil War did not terminate until April 1, 1939 and for a period of several months thereafter German and Italian soldiers, officers, etc., were being repatriated. Little new capital flowed into Spain during the months immediately succeeding the termination of the Civil War. As a change in date was necessary, in agreement with the British Chargé, it was determined that the date of the outbreak of European hostilities would be reasonable.

I stressed to Lequerica the great importance attached by our Government to this matter, making it clear that I felt Spain's economic relationship not only with the United States, but with all of the United Nations, would be influenced by the extent to which the Spanish Government was disposed to cooperate in carrying into execution the measures proposed.

While stressing the importance we attached to all the points set forth in the note, I said that immediate action on points 1 and 2 (Bretton Woods Resolution VI and freezing of German assets) was essential, as well as agreement to set up forthwith machinery to undertake census of all assets (point 4), described in points 1 and 2.

⁶⁰ José Felix Lequerica y Erquiza.

⁶¹ See last paragraph of telegram 3158 to London, *supra*.

^{61a} Reference is to paragraph numbered 2 in the telegram printed *supra*.

I mentioned to the Minister the prompt and effective action taken by the Swiss Government in relation to freezing, adding that proposals along lines similar to those made to Spain were being made to the Governments of Sweden and Portugal.

The Minister, who had an opportunity only to glance over the long note, said that he was impressed by the importance of the matters dealt with in it and assured me that it would be given the immediate attention of his Government. It was agreed that he would call me in again if possible before the end of the week to give me a preliminary reply for communication to my Government.

The British Chargé d'Affaires followed me in to the Minister handing him a note almost identical in phraseology with our own. Mr. Bowker's oral remarks to the Minister followed substantially the same lines as mine.

Last evening my British colleague and I called in the French representative and handed him in advance copies of our respective notes. Mr. Truelle told us that, in view of the fact that he had already made representations to the Spanish Government on certain of the points affecting French interests set forth in our notes, he did not feel any action on his part was called for at this time and I judge that unless he receives specific instructions from his Government he will take no further action for the present.

Repeated to Paris as 174 and to Lisbon by pouch.

ARMOUR

800.515/4-1445 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, May 7, 1945—5 p. m.

1732. 1. Purchase of 3,000 kilos gold from Reichsbank; your 1983, April 5, 2194, April 14, and despatch no. 11432 April 13,⁶² has been discussed with Lauchlin Currie. Currie recalls having been advised by Swiss during negotiations that they would not purchase gold from German controlled sources except for expenditures set out in categories (a), (b) and (c) of paragraph III of Professor Rappard's letter of March 8⁶³ and that even such gold would not be purchased until all German official resources in Switzerland had been exhausted. We, therefore, regard Swiss purchase of this gold for utilization against categories (b) and (c), while funds were available to German Legation for these expenditures, as obvious subterfuge on the part of the Swiss and clear cut contravention of spirit of undertaking given by the Swiss.

⁶² None printed.

⁶³ See footnote 20, p. 862.

2. We fail to understand Kohli's ⁶⁴ reference, reported in despatch no. 11432, April 13 to statement of SNB ⁶⁵ official that gold was being checked against Reichsbank's declaration as to origin, etc. but "would give rise to no question as to being 'looted' gold". Kohli's statement appears to ignore Allied gold policy to regard all gold emanating from German controlled sources as loot, irrespective of whether pedigree establishes pre-war German ownership. Swiss were advised of this policy at the time of presentation of Legation's *Aide-Mémoire* dated August 24, 1944 ⁶⁶ concerning the Gold Declaration of February 22, 1944, and it was further stressed by Allied delegation in course of discussions with Swiss. Legation will recall statement made that Germany had long since exhausted all its pre-war gold resources and any possible accumulation from current production, and that, by necessity, any gold offered by Germany must be presumed to be looted. Swiss no doubt realize that widespread looting of gold by Germany is one of the principal factors bearing on Allied decision to prevent, in so far as possible, realization by Germany on its gold holdings.

3. Since conversion of gold in question into Swiss francs appears to have been accomplished and proceeds blocked in separate account with SNB, there appears to be nothing to be gained by asking Swiss to maintain complete immobilization of this account until all German official assets are applied against all three categories of agreed upon expenditures.

4. Please discuss substance of foregoing with your British and French colleagues with view to lodging immediately tri-lateral protest to Swiss authorities strongly calling attention to this violation of the spirit of the undertaking given by the Swiss.

5. Please keep Department fully informed of your discussions with the British and French and report further developments.

Repeated to London as Department's 3579 of May 7 and to Paris as Department's 1908 of May 7.

GREW

800.515/5-745 : Telegram

*The Acting Secretary of State to the Ambassador in Portugal
(Baruch)*

WASHINGTON, May 7, 1945—5 p. m.

738. Your approach to the Portuguese Government on SAFEHAVEN matters should be made as soon as possible in view of (1) the fact that the Embassy at Madrid presented its note on May 1 with an

⁶⁴ Robert Kohli of the Swiss Federal Political Department.

⁶⁵ Swiss National Bank.

⁶⁶ Not printed.

oral statement by the Ambassador to the Spanish Foreign Minister that proposals along similar lines are being made in Portugal, and (2) the reported action of the Portuguese Government in severing diplomatic relations and freezing German assets.

This will confirm the opinion stated in London's 99, April 30 to you (repeated to Department as 4379) ⁶⁷ that your note should follow the instructions to Madrid repeated to you in Department's 635, April 22.⁶⁸ You are authorized to make such amendments in language as you may deem desirable, particularly those necessary to take cognizance of any action which the Portuguese Government may thus far have taken in furtherance of our objectives.

We are informed by British Embassy here that British Embassy at Lisbon has suggested a prohibition on all dealings in foreign currencies. We agree with this proposal and request that it be included in your note. In our opinion it is not, however, of sufficient importance to be singled out as a "hard core" objective by the Ambassador in presenting the note to the Foreign Minister.

We leave to your discretion the action to be taken on the subject of Portuguese-German contracts completed in contemplation of defeat. We would have no objection to your including in your formal note a suggestion for declaring such contracts null and void (reurdes 1707, April 10 ⁶⁹), or would we object your following the procedure suggested in your 920, April 27, which you repeated to London as 210.⁶⁹

The foregoing instructions should be accepted as a reply to your telegram 952, May 2 ⁶⁹ (repeated to London as 218) which we assume was sent prior to your receiving London's 99, April 30 (repeated to Department as 4379).

In answer to the specific questions asked in first paragraph of your 952, we point out that proposed note quoted in your despatch 1707 did not include fully the four "hard core" objectives since it omitted the freeze of satellite countries, subscription in principle to Resolution VI, and limited the suggestion for blocking and a census to German (as opposed to Axis) persons and interests.⁷⁰

Repeated to London as 3580.

GREW

⁶⁷ Not printed.

⁶⁸ See last paragraph of telegram 3158 to London, p. 873.

⁶⁹ Not printed.

⁷⁰ In telegram 1027, May 10, 11 a. m., from Lisbon, Ambassador Baruch reported that a note concerning the SAFEHAVEN objectives had been delivered to the Foreign Ministry following a conference with the French, British, Belgian, and Netherlands representatives; the note as presented had been approved by all parties (800.515/5-1045). The main points of the note, transmitted to the Department as an enclosure to despatch 112, May 11, from Lisbon, were essentially the same as those contained in the draft note in telegram 3158, April 22, 6 p. m., to London, p. 873.

800.515/5-945

The Minister in Sweden (Johnson) to the Secretary of State

No. 5543

STOCKHOLM, May 9, 1945.

[Received May 30.]

SIR: I have the honor to refer to the Department's telegram 802, May 3, 1945, 6 PM,⁷¹ to the Legation, repeated to London, number unknown, approving certain changes in the text of the provision to be incorporated in the so-called "Tripartite Interim Trade Agreement" and the "Tripartite Post Hostilities Supply Agreement", and to transmit herewith five copies of the final draft of Annex A to this agreement as informally presented to the Swedish Government.

Respectfully yours,

HERSCHEL V. JOHNSON

[Enclosure]

Draft Provision for Inclusion in Tripartite Trade Agreement

It is agreed that the following provision shall be incorporated in the so-called "Tripartite Interim Trade Agreement" and the "Tripartite Post Hostilities Supply Agreement":

"The Government of Sweden as an integral part of this agreement agrees to adhere to the terms and spirit of Bretton Woods Resolution VI, the United Nations' declaration of January 5, 1943, and the gold declaration of February 22, 1944. The Government of Sweden agrees further to implement this undertaking by continuing in force such measures as have already been instituted by it for this purpose and to institute and maintain the additional measures set forth in Annex A to this agreement and made a part hereof, and to give favorable consideration to such other measures as may in the future be necessary for the full execution of this undertaking."

ANNEX A

The Government of Sweden, pursuant to its undertaking as set forth in paragraph of the Anglo-American-Swedish Trade Agreement (the Tripartite Post Hostilities Supply Agreement), undertakes to assist fully the United Nations in carrying out the spirit and purposes of Resolution VI of the Bretton Woods Conference and in all other ways within its power to prevent the use by Axis interests of the laws, territory, and institutions of Sweden for Axis purposes during the present war and thereafter. For the purpose of accomplishing this objective the Government of Sweden agrees to put into force without delay the following measures and to give favorable consideration to instituting such other measures as may in the light of experience and changing conditions be necessary to the execution and effectiveness of this undertaking. For their part the United

⁷¹ Not printed.

States and the United Kingdom recognize that the Government of Sweden has already instituted certain measures directed at the implementation of certain of the provisions set forth below. The term Axis as used throughout this agreement includes Germany, including Bohemia and Moravia, and Japan.

1. The Government of Sweden agrees formally to make known its decision to adhere fully to the terms and spirit of Bretton Woods Resolution VI, the United Nations' declaration of January 5, 1943, and the gold declaration of February 22, 1944, all attached hereto and made a part of this agreement.

2. The Government of Sweden agrees to freeze immediately all assets referred to in items 3 and 4 below, and other such assets as may be subsequently uncovered by the Government of Sweden or brought to its attention by the United States and United Kingdom. It shall be deemed sufficient for the Government of Sweden to freeze any Axis interest in an asset, as such interest is referred to in paragraph 4 below, rather than the asset itself, provided that such interest is so limited as not to make necessary the freezing of the asset in order to freeze effectively such interest in the asset, and provided further that such action is first agreed to by the governments concerned.

The principles on which the licensing of transactions involving the assignment, transfer, withdrawal, payment, hypothecation, or other disposition of such assets may be made, shall be a matter for arrangement between the governments concerned. It is further agreed that full information on all licenses issued shall be made available to the United States and United Kingdom.

3. In order to execute fully its undertaking the Government of Sweden agrees further to immobilize and to dispose of any looted assets as such assets are described in Bretton Woods Resolution VI, regardless of present ownership of such assets, in accordance with the terms and spirit of Bretton Woods Resolution VI.

4. The Government of Sweden agrees further to conduct a detailed census of all assets regardless of form located in Sweden or held abroad through persons or firms in Sweden which, or any interest in which, direct or indirect, is owned or controlled or held by, in behalf of, or in the name of, persons and firms who are nationals or residents of or domiciled in Axis countries. The census shall be constructed to include full information about such aforesaid ownership, control, interest or holding where such ownership, control, interest or holding has not been lost as the result of, or has been obtained through, any transaction involving the transfer of assets to Sweden or a change in assets located in, or managed from, Sweden, where the transaction has occurred since January 1, 1939, between Swedish subjects or persons subject to Swedish law or persons acting on the behalf of such

persons, on the one hand, and persons or subjects of Axis countries, or persons, wherever situated, acting on their behalf, on the other hand, including cases where the assets were transferred without the payment of adequate or appropriate compensation.

The term assets as used in this agreement shall include but not by way of limitation any real property or interest therein, enterprise (commercial, industrial, financial or scientific), security, interest, patent rights, corporate and contractual rights including management contracts, patents, licenses and arrangements, trademarks, insurance policies and reinsurance contracts, money, checks, drafts and all other negotiable and non-negotiable instruments, bank accounts and deposits, including trusteeship accounts and safe deposit boxes and vaults and their contents, gold and other precious metals and stones, personal property, options and any other types of arrangements or undertakings written or unwritten. The Government of Sweden agrees further to make available to the United States and United Kingdom the information obtained from the census, and in accordance with existing practice to permit Swedish nationals or persons subject to its jurisdiction to make available any information directed to the purposes of this undertaking to the United States or the United Kingdom, either directly or through the Government of Sweden.

The Government of Sweden agrees further to conduct a similar census on all assets located in Sweden or held abroad through persons or firms in Sweden which, or any interest in which, direct or indirect, is owned or controlled or held by, in behalf of, or in the name of, persons and firms who are nationals or residents of or domiciled in Axis satellite countries, such census to be taken only at such time as the Governments of the United States and United Kingdom may request with respect to all or any one of such countries. Similarly, at the time of such request the Government of Sweden agrees to make available all information concerning such census to the United States and United Kingdom and further that the provisions of section 2 above shall be made applicable to the investigation and freezing of such Axis satellites' assets. The term "Axis satellites" shall for the purposes of this provision include Bulgaria, Rumania and Hungary and shall also include Austria as constituted prior to March 15, 1938, and Italy.

5. The Government of Sweden will provide the United States and the United Kingdom with full information concerning all persons in Sweden who possess the nationality of Axis countries and of those formerly of Axis nationality who have entered into Sweden since January 1, 1939, and who are presently in Sweden, where the evidence reveals that such persons may themselves be hiding, or may be assist-

ing in or may be parties to or may have knowledge of the hiding of, assets owned or controlled by, or in which an interest is held by, Axis countries, or persons located in such countries or persons acting on their behalf. Such information shall include details as to their residence, occupation, travels from Sweden made since initial entry into Sweden and such other information as will be relevant to the purpose for which such information is desired. The Government of Sweden also agrees to submit similar information on all other persons who have come to Sweden since January 1, 1939, where the evidence reveals that such persons may themselves be hiding, or may be assisting in or may be parties to or may have knowledge of the hiding of, assets owned or controlled by, or in which an interest is held by, Axis countries, or persons located in such countries or persons acting on their behalf. The Government of Sweden agrees further to submit similar information to the United States and the United Kingdom on all persons who during the remaining period of hostilities may enter Sweden from Axis countries and such other persons as may be referred to the Government of Sweden by the United States and United Kingdom, for the purpose of determining whether such persons are themselves hiding, or assisting in or are parties to or have knowledge of the hiding of, assets owned or controlled by, or in which an interest is held by, Axis countries or persons located in such countries, or persons acting on their behalf.

6. The Government of Sweden will establish effective controls with respect to any transaction with the Axis or Axis controlled countries, or the nationals of such countries in order to prevent entry into Sweden from such countries of any assets or the removal from Sweden to such countries of any assets. The principles on which transactions may be licensed shall be a matter of arrangement between the governments concerned. It is further agreed that full information on all licenses issued shall be made available to the United States and the United Kingdom.

7. The Government of Sweden after the foregoing measures have been put into effect agrees to investigate all suspicious cases including but not limited to cases referred to it as being in such category by the United States or United Kingdom and to report the results of all such investigations to the United States and the United Kingdom. The Government of Sweden further agrees to prosecute vigorously violations of the measures referred to in this agreement and to take such other steps as are necessary to obtain rigid enforcement of such measures.

8. In order to facilitate the execution of this agreement the Government of Sweden agrees that the facilities of the Joint Standing Com-

mittees ⁷² in Stockholm, London and Washington, or sub-committees thereof shall be made available for handling of questions related to this agreement or to the execution of the terms of this agreement.

800.515/5-2345

The Ambassador in Spain (Armour) to the Secretary of State

No. 331

MADRID, May 23, 1945.

[Received May 30.]

SIR: I have the honor to transmit herewith a copy of the Spanish text and an English translation ⁷³ of the response of the Minister of Foreign Affairs to my note of May 1st ⁷⁴ concerning Axis assets and activities.

The Minister declares that the Bretton Woods resolution and complementary declarations embody principles which have already been incorporated within Spanish law and which have been followed in Spanish practice. He gives full assurances that the Spanish Government adheres to the principles of these resolutions and declarations and points out that the decree law of May 5th converts these principles into a national reality.

It will be observed that the note makes no direct reference to undertaking the census of assets and individuals requested in my note of May 1st nor does it contain a definite promise that all of the information obtained by the Spanish Government as a result of its investigations will be made available to the British and American Governments.

In conversations which have been proceeding between the British Commercial Secretary and American Commercial Attaché with the Director of Political Economy who has been charged by the Minister to create and direct the organization necessary for implementing his assurances, the latter has expressed the intention to make accessible to the British and American experts the information gathered on all assets. Information concerning German individuals engaged in economic activities will also be accessible to us. He points out that the census of assets and individuals necessarily complements the investigations which the Spanish Government is undertaking and therefore the Spanish note should be interpreted as assuring a census of economic activities.

Respectfully yours,

For the Ambassador:
RALPH H. ACKERMAN
Commercial Attaché

⁷² These bodies, consisting of United States, United Kingdom, and Swedish representatives, were established to assure the Allied Governments that Swedish policy was in accordance with various wartime trade agreements.

⁷³ Note dated May 12, not printed.

⁷⁴ See telegram 912, May 1, 7 p. m., from Madrid. p. 877.

[For further documentation relating to control of the external assets of Germany and the former Axis satellites during June, July, and August, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, volume I, pages 432-434 and 554-561; *ibid.*, volume II, pages 747-749 and 949-969.]

800.515/6-845: Telegram

The Acting Secretary of State to the Ambassador in Spain (Armour)

WASHINGTON, June 19, 1945—6 p. m.

1037. SAFEHAVEN. Urtels 1010, May 10, 1223, June 6, 1232, June 8.⁷⁵ In connection with administration of freezing regulations and related problems, you should be guided by following:

1. It is proposed that Allied authorities in Germany will vest all German external assets. See Deptel 1015.⁷⁶ Policy regarding ultimate disposition of these assets will be determined by occupying powers through diplomatic channels or through Allied Control Council or Reparations Commission.⁷⁷ To end that occupying powers' freedom of action remain unprejudiced you should see that (a) German assets are maintained and not dissipated in any manner during this interim period; (b) Span[ish] take no action which would prejudice effectiveness of vesting decree or of any action to be taken with respect to disposition of such assets, and that (c) Span take every action to uncover and block German assets to facilitate their ultimate delivery to Allied representatives for disposition.

2. If Span attempt to dispose of German assets, you should indicate that as subscribers to Bretton Woods Resolution VI they have committed themselves not only to "take measures to prevent the concealment, by fraudulent means or otherwise, of assets belonging to enemy, their leaders, associates, and collaborators" but also to hold these assets in such manner as will "facilitate their ultimate delivery to post-armistice authorities". Thus, under Resolution and our SAFEHAVEN note, their function is merely to immobilize German property until delivery is made to Allied authorities.

⁷⁵ None printed.

⁷⁶ Dated June 15, not printed; it stated that the U.S. Government considered that German state-owned corporations in Spain were subject to the same control by the American and British diplomatic missions as German Embassy buildings. In assuming control of German assets, the missions would be acting as trustees for the Allied Control Authority for Germany. (800.515/6-1545)

⁷⁷ Reference is to the Allied Commission on Reparations; for the establishment of this Commission, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, pp. 979, 983. For documentation on the Reparations Commission and its role in the German reparations question, see *Foreign Relations*, 1945, vol. III, pp. 1169 ff.

3. You should, if at all possible, prevent Span from intervening or liquidating any firms, urtel 1232 June 8.

4. In addition, you should under no circumstances encourage Span to vest German interests. You should prevent such action and Span should merely uncover and block German assets pending Allied assumption control over them for final disposition.

5. Where individuals voluntarily hand over to you assets belonging to Germans, your 1015 May 11,⁷⁸ you should take those assets in accordance with advice given you in our 836 May 18.⁷⁹ Span need not be informed unless you deem it expedient and in no case should they be regarding receipt media of exchange. We wish to emphasize again that you should not under any circumstances indicate to Span that disposition of such property will be made in conjunction with them.

6. You should advise Span that their licensing policy with respect to blocked German assets should be designed to uncover and prohibit disposition or dissipation and concealment of Axis assets. Therefore, licenses should be granted only in cases of extreme hardship and then only after consultation with you and Brit. It is important that operations of Axis owned or Axis controlled enterprises should not result in exportation of assets. Such enterprises must be restricted to domestic operations.

7. With respect to policy to be followed regarding Axis personnel, you already have been instructed as to removal of personnel from properties you take over. As to other properties you should confine yourself for present to requesting removal of particularly notorious and dangerous individuals who would be apt to cause injury or loss to incipient ACC interests. Repatriation policy still developing.⁸⁰ Further instructions on control of personnel will be forthcoming.

8. Once occupying powers have agreed to issuance of vesting decree discussed in Deptel 1015, program based on excellent suggestions in your 1232 as modified by this telegram can be followed. We share your feeling Span control action beyond blocking would result in concealment and dissipation of German assets. Therefore, if Span take any action to prejudice ACC interest as outlined herein and in our 1015, such as vesting, intervention, liquidation, forced sale or similar action, you should, in concert with your Brit colleague, make an immediate approach to Span on highest diplomatic level strongly protesting such action as departure from Bretton Woods Resolution VI

⁷⁸ Not printed.

⁷⁹ Not printed; it informed the Embassy that any German assets offered should be accepted for safekeeping, provided that the Spanish Government was kept informed and that no liability was assumed regarding care of the property or ultimate return to the person depositing it (800.515/5-1145).

⁸⁰ For documentation relating to concern of the United States regarding the repatriation of German officials, agents, and other nationals following the end of the war, see vol. III, pp. 784 ff.

and point out such acts would be interpreted as inimical to interests of US and UK as well as the United Nations generally. In cases where intervention or liquidation may already have taken place, you and Brit should insist, as representatives of two principal members of ACC, you have direct interest in any such action and no person should be appointed and no acts taken without your prior consent.⁸¹

Repeated to London as 4930, to Lisbon as 962, to Paris as 2834 and to Moscow for Embassy and Pauley^{81a} as 1341.

GREW

800.515/7-2045 : Telegram

The Chargé in Sweden (Ravndal) to the Secretary of State

STOCKHOLM, July 20, 1945—1 p. m.

[Received July 21—1:24 a. m.]

2544. Review of our SAFEHAVEN objectives (my 1438, July 20, repeats this to London for Herschel Johnson⁸²) was held with Swedes yesterday in order to ascertain how far they had gone in meeting our requests and to induce them to satisfy outstanding requests. Legation's 2514, July 17, 1426 to London.⁸³ See also Legation's despatch 5543, May 9 transmitting text of our objectives as informally presented to Swedish Govt. Swedes have met all our requests and even gone further.

Introduction Annex A to text: Swedes agreed to assist the United Nations in carrying out policy laid down in United Nations' Declaration Jan 5, 1943, Gold Declaration Feb 22, 1944, and Resolution VI Bretton Woods. Swedish Govt agrees to continue in force "as long as it is deemed necessary" such measures already instigated [*instituted?*] for above purposes and to give favorable consideration to such other measures as are indicated in declarations and resolution. Thus full compliance with introduction has been obtained.

1. Pgh references are to statement our objectives. Swedes advise that since Bretton Woods Resolution VI is not an international document but only an agreement by economic experts of certain countries to request other countries to take certain steps, Swedish Govt cannot formally adhere to Bretton Woods Resolution VI. Swedes have, however, in minutes of meeting of King and Cabinet which have been

⁸¹ Telegram 1571, July 20, 9 p. m., from Madrid, transmitted the following message to the Department: "We and British are submitting identic formal notes to Foreign Office informing it that powers occupying Germany claim title to control of German-owned or German-controlled assets and requesting that Spanish Govt take no action which would conflict with this control which must be recognized as having come into existence." (800.515/7-2045)

^{81a} Edwin W. Pauley, U.S. Representative, Allied Commission on Reparations.

⁸² American Minister to Sweden.

⁸³ Not printed.

made public (transmitted Leg's despatch 5789, July 5 ⁸⁴), stated that legislation to control (German) assets and to provide for restoration looted property is in adherence to above declarations and with requests set forth Bretton Woods Resolution VI. They agree, moreover, to hold press conference in near future at which time they will reiterate their intention to fulfill demands and spirit of demands of Bretton Woods Resolution VI and above declarations. Swedes thus comply fully with this request.

2. Swedes have now frozen all German assets in Sweden. All liquid assets had been frozen previously. Swedes agree that the principles for the licensing of transactions involving frozen assets shall be a matter of agreement between the British, Swedes and ourselves. They agree that full information on all licenses issued will be made available to the UK and US. Swedes thus fulfill this request.

3. Sweden has already taken necessary steps to comply fully with our request for the immobilization and disposal of looted assets in accordance with Bretton Woods VI and in so doing they went so far as to change existing civil law and establish special administrative board for hearing such cases and expediting action on them.

4. (a) Swedes are issuing on July 21 a new census (previous census issued beginning of year covered liquid assets and debts) which will cover all types of assets referred to Pgh 4. Census was drafted on basis our discussions and requests at various meetings. With reference to dual census Swedes agree in principle with holding of another census to cover the history of transactions in Sweden of German assets. Agreement on this was reached after considerable discussion in which it was pointed out that a failure to investigate transactions in German assets as distinguished from census on assets themselves, as is being done in census issued July 21, will cut Swedes off from a valuable and necessary source of information. We argued that by getting a transaction history from a special census Swedes will obtain information on assets in Sweden from persons who no longer have any interest in such assets and who are therefore not likely to give false replies to census, whereas a person now holding a German asset is more likely to violate regulations by not reporting it. We impressed Swedes with fact of our experience and of tremendous benefits we obtained from holding a "transaction census" in addition to an "asset census". However, Swedes point out that to require a statement on all transactions in German assets in Sweden since 1939 will be administratively impossible. Accordingly it was agreed that a feasible method for holding such census would be worked out by us in consultation with Swedes.

(b) While Govt of Sweden will not make available to US and UK the actual census forms as completed by Swedish residents, they will

⁸⁴ Not printed.

make available to the US and UK all information on German assets in Sweden obtained from the census and from other sources. We expect full and complete compliance with this. This agreement will have to be cleared with the new govt in beginning Aug but we are assured that Govt will approve since administrative agencies and Foreign Office will so recommend. Agreement on this question came after considerable and protracted discussion in which we emphasized the need for complete and frank exchange of information and need for us to know what assets are in Sweden in order to be in a position to discuss disposition of such assets at a future date. We pointed out that an exchange of information of this type is in no way an attempt on our part to administer Swedish law nor does it in any way constitute an invasion of their sovereignty. We emphasized that without agreement to make available such information to us the Swedes will not have fulfilled the spirit of Resolution VI and that obviously such failure would cause an unfavorable reaction in US and UK.

(c) Concerning permission to Swedish nationals to make available to us any information directed to SAFEHAVEN investigations the following agreement was reached: The chief of the administrative agency handling SAFEHAVEN at a press conference will announce it is duty of all Swedes to bring to that agency any information they may have concerning the existence of German assets in Sweden. However, it is informally agreed but will not be publicly announced that should US or UK Legations or their personnel obtain information from Swedes or residents in Sweden concerning SAFEHAVEN, this information with name of the source can be made available to Swedish SAFEHAVEN agency for appropriate investigation without any risk to source being prejudiced vis-à-vis Swedish law. In other words for first time we have right to interview persons on SAFEHAVEN questions without those persons giving information being subject to penalties for violation of Swedish law.

(d) Govt of Sweden agrees to freeze and to conduct a census of all Axis satellite countries' assets upon notification to Swedish Govt that such countries as have representatives here do not object to such freezing and census. Govt of Sweden will further agree to conduct a similar census and freezing of all assets of formerly occupied countries upon receiving a request from such countries to take such action. This agreement goes beyond what was actually requested in our objectives since we did not refer to formerly occupied countries nor did we include all satellites. Legation should appreciate being advised by Dept as to procedure to be followed in notifying Swedes of agreement of satellite countries and in having formerly occupied countries make known their request to Swedes. (Legation's 2502,

July 17, 1421 to London.)⁸⁵ Thus full compliance with Pgh 4 has been obtained.

5. With ref to obtaining of information from persons who possess German nationality (i.e., in Sweden on German passports), full details on this are being obtained from German Legation and if necessary additional information can be obtained from Swedish Govt. With ref to former Germans now stateless in Sweden it was agreed that Swedish representatives of the SAFEHAVEN agency and the Foreign Office will recommend to the next Govt that full information be given us on such persons, that we will investigate the history of these persons through the facilities available to us in Germany and will advise Swedes of those who are considered dangerous and those who are considered bona fide refugees. . . . Obtaining of this agreement was one of most difficult aspects of negotiations. Swedish opposition to it was to avoid prejudicing publicly refugees in Sweden, the greater percentage of whom are undoubtedly bona fide, and not to establish a precedent for submitting information on refugees which might be embarrassing to the Swedes should a request be made concerning refugees from Baltic countries by USSR. It was pointed out to Swedes that in other countries, particularly Switzerland, it has been found that stateless persons have in fact acted in collusion with former German Govt and have acquired a stateless status at the request of former German Govt or its officials or groups within Germany and that what Germans did in Switzerland they unquestionably did here. It was pointed out further that since Swedes in their initial census have not made it applicable to stateless persons (though this will be done) it is essential that through some means or other they ascertain now who are undesirable refugees who may be hiding German assets. Swedes were advised that if they failed to submit such information to us they were leaving a large hole in their controls and they would not be acting in a full spirit of cooperation. This agreement which we are assured will probably be accepted by the Govt will cover fully our request Pgh 5.

6. Swedes have established effective controls on transactions with other countries. Accordingly no further action beyond administration will be required for this. The Swedes agree to make available information on licenses granted and to decide with us on principles of licensing. Thus full agreement with Pgh 6 has been obtained.

7. Sweden agrees to investigate all suspicious cases including those referred to it by US and UK and to report on such investigations to US and UK and take necessary freezing action where required. Swedes also agree to prosecute vigorously violations of measures referred to above. Thus full agreement on Pgh 7 has been obtained.

⁸⁵ Not printed.

8. Swedes agree to use facilities of JSC in Stockholm, London, and Washington or special committees thereof for handling of all questions relating to this agreement.

Subject to Swedish Govt's approving submission to us of all information on German assets obtained from census or from other sources and subject to approval of Swedish Govt for a list of former Germans now stateless both of which we are assured will be approved, and subject to satellite countries stating they have no objections to freezing of their assets, and occupied countries requesting a freeze, we have obtained full and complete compliance with our objectives as drafted in Washington. One remaining question is holding of another census in order to fulfill our request for a "transaction census" but there is agreement in principle on this. Thus Sweden has as a result of the negotiations taken or agreed to take all of the action contemplated by our requests. It is intention of Swedish Govt to write us a letter stating that they have decided to assist United Nations in carrying out policy set forth in the two declarations and Resolution VI and to continue in force all measures instituted for this purpose and to give favorable consideration to such other measures as are indicated as being necessary. Swedes will probably include a statement in their letter that such action does not prejudice question of ultimate disposal of German assets in Sweden. On this question the Swedes state that they believe that claims arising out of German debts to Sweden which occurred prior to outbreak of war should be treated on a different basis from claims which arose from loans made during war concerning which Swedes have none. On basis of the Swedish action which goes even farther than we had requested (thus it includes freezing occupied countries and all satellites), Legation recommends that the policy set forth Legation's 2528, July 19 to Dept,⁸⁶ 1431 London, 35 Moscow, 8 Lisbon, 41 Bern, 2 Ankara and 10 Buenos Aires, be followed (cf. Rubin's second proposal point 3 Paris' 105, July 10, 4132 Dept; ⁸⁷ 506 London, 174 Moscow, 220 Lisbon, 287 Bern, 6 Ankara, 5 Buenos Aires).

It is emphasized that agreement to transmit information to us on German assets here and the proposed agreement to submit to us a list of all former Germans now stateless is to be kept secret and under no circumstances should it be referred to in any public statement or to any other Govt. If Dept contemplates, however, issuing a statement concerning Swedish adherence to Bretton Woods and its full coopera-

⁸⁶ Not printed. The policy referred to was proposed by Seymour J. Rubin, Chief of the Division of Economic Security Controls, detailed to the U.S. delegation, Allied Commission on Reparations, to the effect that the Allies postpone any decision on the counter claims of the neutrals to German assets, while simultaneously informing the neutrals that satisfaction of their claims would depend partly on the effectiveness of their controls (800.515/7-1945).

⁸⁷ Not printed.

tion with it, Legation should appreciate an opportunity of first checking such statement. Such statement should refer to Sweden's "voluntary action".

Swedish Govt takes position that compliance with our requests, and steps taken by them to control German-owned firms, requires us to delete such firms from Proclaimed List upon being satisfied that control is effective. Swedes will appoint interventors to administer such firms. Deletion will in no way prejudice our future claims against such German assets since it is fully agreed that deletion will not change fact that such firms are German assets. We strongly urge that such request should be met and should be so stated in our reply to Swedish letter. This was discussed with Fleming when he was here who fully concurred. British also concur. Legation therefore strongly urges that following be agreed to: firms which are listed solely because of enemy ownership will be deleted promptly from published lists once two Legations are satisfied that control is satisfactory. In this connection it is to be noted that we are very impressed with caliber Swedes administrating controls, their energy and desire to do an effective job and to cooperate 100 percent with us, and care they are taking in picking good persons to administer firms. We believe that to refuse Swedish request will be a wholly unwarranted action and will weaken effective administration they are establishing as well as raising serious political question with Swedish Govt who will then question our good faith. Urgent acceptance of this principle would therefore be appreciated. London please discuss with MEWFO.⁸⁸

Dept's comments on above agreement would be appreciated in order that we can advise Swedes of Dept's reaction.

My 42 Bern, 7 Madrid, 9 Lisbon, 3 Ankara, 11 Buenos Aires, 1 Tangiers, 36 July 20 Moscow repeat this message.

RAVNDAL

800.515/7-2045 : Telegram

The Acting Secretary of State to the Minister in Sweden (Johnson)

WASHINGTON, July 31, 1945—6 p. m.

1469. Following are views of SAFEHAVEN authorities on your 2544 July 20 (your 1438 to London, 36 to Moscow) :

Introductory statement as to period in which SAFEHAVEN agreement shall remain in force is too vague. We suggest it be amended to read "as long as it is deemed necessary by US and UK Govts in consultation with Swedish Govt."

4. (a) : You are commended on presentation of argument for dual census. You might point out to Swedes that while investigation of

⁸⁸ Ministry of Economic Warfare, Foreign Office.

all transactions since 1939 might be administratively impossible, dual census would greatly facilitate investigation of suspicious cases.

(b): Our objective would be accomplished by Swedish Govt making available results of census. However you should reserve right to see actual forms on specific cases in which you have particular interest.

Request you insist letter Swedish Govt proposes to write you contain statement of Swedish adherence to two declarations and Resolution VI. We should have preferred public declaration by Swedish Govt. of their adherence as was done by Span[ish] and Port[uguese] Govts, and failing this we think it entirely reasonable to require such adherence in secret letter. Request you to submit verbatim text of letter before accepting it.

We do not agree that Swedish acceptance of our SAFEHAVEN requests justifies deletion of German firms from Proclaimed List even should we be satisfied Swedish control is effective. So long as PL is maintained, there is little likelihood a German firm will be deleted unless it is completely liquidated. Swedes should not appoint intervenors to administer such firms. Consistent with policy stated Dep'tel 1416, July 24,⁸⁹ (6100 to London, 167 to Moscow) administration or liquidation should be conducted under your guidance by your appointees and salaries paid out of firms' assets. No objection your appointing Swedish nationals. Dept suggests you submit estimate of personnel which will be needed to perform Legation's supervisory functions.

Sent to Stockholm. Repeated to London as 6367 and to Moscow as 1709. Repeated by airgram to Paris, Lisbon, Madrid, Bern, Ankara, Tangier and Buenos Aires.

GREW

800.515/8-245: Telegram

The Ambassador in Turkey (Wilson) to the Secretary of State

ANKARA, August 2, 1945—7 p. m.

[Received August 2—2:18 p. m.]

1050. For Acting Secretary. I am concerned over likelihood of conflict between our political aims and our SAFEHAVEN objectives as regards Turkey. Please see my 1018, July 27, 2 p. m.⁹⁰ which indicates US may be expected to carry burden of convincing Turks of advisability of accepting international control of Straits.⁹¹ This will be a large order and if we are to have any hope of success it will require that we enjoy confidence and good will of Turks.

⁸⁹ Not printed.

⁹⁰ *Conference of Berlin (Potsdam)*, vol. II, p. 1437.

⁹¹ For documentation on this subject, see *ibid.*, vol. I, pp. 1010 ff., and vol. II, pp. 1420 ff.

On other hand, please see Dept's airmail instruction 735, July 12.⁹² This means US is to be spearhead of move by four occupying powers to apply to Turkey a SAFEHAVEN program comprising far-reaching demands many of which even with best of will on part Turks, are impossible of fulfillment by Turkish Govt due to their lack effective administrative organization and well-known inability to establish and execute adequate controls. This is same program we have applied to Sweden. However, a country like Sweden highly organized and extremely well administered, can execute such program successfully. Conditions prevailing in Turkey are so foreign to those existing in a country like Sweden that it would be asking the impossible to apply such a program to Turkey. It appears, moreover, that Dept intends to treat Turkey in same manner as we treat Argentina (see Paris' 4132, July 10, rptd to Ankara as 6, and my 995, July 20⁹³).

Another and seriously complicating factor is that we plan to have Russia join in these demands on Turkey. Now, while Turkey might be disposed to give US and Britain SAFEHAVEN assistance and data within Turkey's limited capabilities, Turkey will certainly refuse, in view existing tension relations with Russia, to comply with far-reaching demands and give confidential information to USSR. Fact that we were taking initiative these demands with Soviet participation would of itself serve arouse suspicion of Turks, thereby prejudicing possibility constructive achievement in political field. I, of course, appreciate that Soviet Union as one of four occupying powers must be given opportunity to join in SAFEHAVEN program. While this must be borne in mind, we should not lose sight of fact USSR today would jump at chance to use SAFEHAVEN demands of character we are proposing as stick with which to belabor Turkey.

In view situation described, I recommend consideration be given to revising program of SAFEHAVEN demands on basis actual conditions in Turkey and political angle concerning USSR. My 1026, July 28⁹² recommended Lawson,⁹⁴ who is in charge of our SAFEHAVEN work, be ordered to Dept immediately for consultation in connection with Dept's instruction 735.⁹² Revised program could be drawn up with benefit Lawson's knowledge conditions here.

Since dictating foregoing I have discussed briefly with British Ambassador⁹⁵ these proposed SAFEHAVEN demands. His reaction strengthens my belief that (a) they lie far beyond possibility Turkish fulfillment and (b) if Soviet Union joins in these demands it will

⁹² Not printed.

⁹³ Neither printed.

⁹⁴ Edward Lawson, Commercial Attaché at the Embassy in Turkey.

⁹⁵ Sir Maurice D. Peterson.

arouse resentment on part Turks with result we shall fail obtain even reasonable degree compliance by them in SAFEHAVEN matters.⁹⁷

[WILSON]

800.515/8-2045 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary of State*⁹⁸

LONDON, August 20, 1945—7 p. m.

[Received 7:55 p. m.]

8411. In response British invitation Rubin has been in London since August 14 and has participated with SAFEHAVEN and Treasury representatives of Embassy in discussions with British Ministry of Economic Warfare Foreign Office, Foreign Office and Treasury on subject of German external assets. Preliminary meeting held August 14 with British and meetings held next 2 days with French present. British pointed out that neutral replies to our *démarches* would probably question our right to German external assets and insist that neutral claims should be satisfied out of such assets. Primary problem raised by British was how to meet these objections.

Memorandum drafted by Rubin and cleared with Collado⁹⁹ was submitted merely as expression of opinion on basis of which recommendation would be made to US Government. On same basis, viz., that participants in meeting would recommend memorandum, as modified during meetings, to their Governments, memorandum was approved. Memorandum being sent forward in entirety¹ via Andrews of London Embassy,² leaving here August 18. Substance of memorandum is as follows:

1. Potsdam protocol waives USSR rights in receiving German external assets except in countries reserved in protocol.³ US, UK and France must act re others although our view (this point not discussed with British or French) is that USSR should be consulted before contemplated program is inaugurated.

⁹⁷ Telegram 830, August 11, 6 p. m., to Ankara, informed the Embassy that, since section IV, paragraphs 8 and 9 of the Potsdam Communiqué excluded the Soviet Union from reparations interest in German external assets in Turkey, there was no need to ask the Soviet diplomatic representative to associate himself with the SAFEHAVEN requests of the British and American representatives. The Embassy was also told that no approach should be made to the Turkish Government on SAFEHAVEN until further notice. (800.515/8-245)

⁹⁸ The text of this telegram was subsequently transmitted in a circular airgram of September 4 to the diplomatic missions in Ankara, Bern, Kabul, Lisbon, Madrid, Rome, and Stockholm.

⁹⁹ Emilio G. Collado, Director of the Office of Financial and Development Policy.

¹ Not printed.

² Archie M. Andrews, Junior Economic Analyst.

³ See section III, paragraphs 8 and 9, *Conference of Berlin (Potsdam)*, vol. II, pp. 1478, 1486.

2. It may be expected neutrals will contest Allied claims to such assets. To obviate difficulties involved in neutral position so far as possible, following program should be presented to neutrals by three Governments concerned, acting on behalf United Nations:

A. Allies have suffered great damage during course of war including severe depletion of natural resources. Neutrals have profited at least relatively and partially because of programs Allies forced to undertake to prevent more aid to enemy such as preclusive purchasing.

B. A necessary (though not sufficient) condition of neutral eventual participation with other nations on a full association basis is that they make some contribution to rehabilitation of countries which have suffered immense damage in fight against Fascism. Though surrender of German assets is not really contribution by neutrals, willingness to have such assets used in such manner may be taken as evidence of their willingness to share some of burdens with United Nations. Neutrals should therefore consent to program designed both to eliminate German influence and to realize on German external assets for such purposes.

C. Program to be presented envisages liquidation of German external assets, with compensation to German owners in German currency, purchasers to be either United Nations or neutral nationals. In all cases circumstances of sale and purchasers must be subject to approval of Three Powers acting on this matter. Elimination of undesirable persons of course one of primary conditions. Proceeds of sale to be made available to United Nations, acting through Three Powers. Proceeds would be used, in discretion of Three Powers, for such purposes as reparation, rehabilitation, payment for essential imports into Germany. To meet probable neutral objection that this may represent large scale capital withdrawals from their territory, Three Powers will agree to use proceeds for purchase to extent practicable of local products in accordance with fairly long range program to be worked out with neutrals. Such program would contemplate purchasing, to extent possible, local indigenous products which might otherwise be export surpluses, such products to be shipped (probably on repatriation [*reparation?*] account, though neutrals have no legitimate interest in this point) to United Nations for relief and rehabilitation, perhaps to Germany as essential imports (if approved by Allied Control Commission) to relieve possible burden on occupying powers. Such program damages neutral economy and foreign exchange position as little as possible, gives neutrals advantageous procedure for liquidating German investment in their territory and makes products immediately available to meet United Nations needs.

3. If agreed in principle, US to draft note incorporating above for concurrence UK and France. In addition following points included in memorandum but not to be included in note to neutrals.

A. Legal objections may be expected. These will include argument Allies have no jurisdiction and, even conceding jurisdiction, have failed to exercise their power to act as government of Germany. Memorandum states that question of extraterritorial effect of decree is largely political and that legal objections raised by neutrals can

be cured by their own political decision to cooperate and public statement that such decree as Allied Control Commission may issue is in accordance local public policy. Also that Allied Control Commission has full governmental powers under surrender documents and lastly that Allied Control Commission will (if it has not by then already done so) issue appropriate vesting law. British feel that issuance of vesting law should be postponed pending this approach to neutrals: Rubin indicated his views that order should be issued as soon as possible, given agreement with USSR that US, UK, and France would manage external assets in neutrals. At French suggestion memorandum also includes paragraph to effect that Allies will cause German Government, when constituted, to recognize validity of steps taken by Allied Control Commission or by neutrals, with Allied Control Commission consent, under this program but not of steps otherwise taken by neutrals.

B. Rubin memorandum suggested that claims of neutrals be rejected outright, on ground advances to Germans represented by German clearing deficits should not be given any priority or even equal position with claims of Allies attributable to war damage, etc. British indicated belief that we should clarify our position re other types of claims as well as clearing balances. This portion of memorandum as modified by British indicates that:

(a) Claims arising out of war transactions—clearings—to be rejected outright;

(b) Pre-war debts—memorandum indicates that neutrals should not be informed of this now, but that offering the neutrals chance to use German assets to pay these claims, provided amount of claims is not large “might be considered as less prejudicial” than other alternative concessions. We reserved our position completely after indicating reluctance to make this concession.

(c) Unmatured pre-war debts—to remain for such treatment as future may bring to all such claims.

(d) Claims with respect to property in Germany. Neutrals cannot sell their property and expect to transfer proceeds out of Germany. However we recognize in general their right to property though like all other property in Germany it must be subject to general program of removals, requisitioning, etc., against payment comparable to that given to German nationals. Program of removals as it affects United Nations and neutral property is expressly reserved as subject for further negotiation. Discussion at meeting indicated that British position was not yet formulated on extent to which United Nations or neutral ownership should impede program of removals for reparation purposes.

4. Suggested Department consider above urgently on principles. If approved in principle Department will, under terms of memorandum, have obligation of drafting proposed *démarche*.

5. There was also discussed possible desirability of establishing an informal consultative body, on which US, UK and France would be represented, to deal with current operating problems with respect to German external assets and to discuss policy questions in first in-

stance, referring major questions to governments. Such a body would deal with such problems as British proposal that paper bags paid for by Germans and now held in Sweden be shipped to British Zone in Germany and problem of disposal of German owned canned fish discovered in Tangier. Until action by Allied Control Commission on vesting or similar order such body would discuss manner of disposition of German external assets and serve as allocation agency under plan described in above memorandum. This suggestion had been discussed by Rubin with Fagen⁴ and Labouisse⁵ in Paris. Suggestion seemed to have favourable reception here, all being agreed some expeditious method of dealing with operating problems and an informal forum for preliminary policy discussions were needed. Suggest this be given consideration with view to formulating definite proposal.

6. Proposal contained in this telegram has been approved by Clayton, Collado and Stinebower.⁶

Above sent Department, repeated Paris 537 via courier pouch for information and comment, Moscow 300 for information and comment on question of consultation with USSR on this proposal and to USPolAd⁷ Berlin 86 from Winant for Murphy and Pauley.

WINANT

800.515/8-2245 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 22, 1945—7 p. m.

7147. For Taylor⁸ from Treasury. Urtel 6615 June 30.⁹ Dept and Treasury bothered by apparent relaxation Brit controls over Swiss accounts and feel such action may be premature at this time. It is our feeling that in view of defects Swiss controls and general reluctance of Swiss to cooperate fully on SAFEHAVEN both we and Brit should hesitate before relaxing our controls over Swiss accounts.

Discuss with Brit desirability of maintaining existing controls over Swiss assets, at least until some indication is recd of Swiss compliance on SAFEHAVEN program. You should point out to Brit steps we are taking to hold up on certification procedure, and since they are committed with us to obtain fullest SAFEHAVEN results from Swiss,

⁴ Melvin Fagen of the Foreign Economic Administration.

⁵ Henry R. Labouisse, Jr., American Adviser on Economic Affairs at the Embassy in France.

⁶ Leroy D. Stinebower, Director of the Office of International Trade Policy.

⁷ United States Political Adviser for Germany, Robert D. Murphy.

⁸ Presumably William H. Taylor, Assistant Director, Division of Monetary Research, Treasury Department, assigned to London as U.S. Treasury Representative.

⁹ Not printed.

they should likewise be exceedingly reluctant to remove restrictions from Swiss assets. You might add we have found Swiss extremely sensitive to our suggestions if they feel their assets in this country are in any way prejudiced, and probably Allied control of Swiss assets is the most potent weapon we have with which to obtain Swiss compliance on SAFEHAVEN.

Report results of discussions. [Treasury.]

BYRNES

800.515/8-1345 : Telegram

The Secretary of State to the Ambassador in Portugal (Baruch)

WASHINGTON, August 23, 1945—7 p. m.

1388. Your 1721 Aug 13,¹¹ rptd London as 403, raises two distinct questions: (1) freezing of satellite assets and (2) unblocking and dissipation of German assets covered by Portuguese freeze.

As to point (1), no final decision has yet been reached on freeze of satellite assets but Dept fails to see how affirmative decision on this question would create complications if Portuguese are sincere in their undertaking to effectively adhere to and implement Bretton Woods Resolution VI and related SAFEHAVEN requests.

So far as point (2) above is concerned, as Emb is aware (see Dept's 948 June 15,¹² rptd London as 4828), series of reports from Madrid in recent months has indicated grave danger Spain would dissipate German assets, public and private, in absence of early indication of ACC¹³ vesting action. Notification to neutrals of Allied assumption of title or control of German assets was, of course, stopgap measure.

Statement contained in your 1721 to effect that subsequent unblocking of German assets impels concealment and dissipation of liquid resources, considered together with your SAFEHAVEN reports nos. 300 and 316 of Jul 19 and Jul 30 respectively,¹⁴ indicates that dangers largely comparable to those existing in Spain are now manifest in Portugal. In this connection you should examine Dept's 1037 Jun 19 to Madrid (rptd to you as 962, to London as 4930) in the light of local situation and be guided by policy stated therein to extent applicable to local situation. In addition, Emb is instructed to consult with Brit and to take following action immediately:

(1) Request Portuguese to permit review of authorizations granted to German firms listed in SAFEHAVEN reports nos. 300 and 316. If examination discloses that operations of firms are not limited to domestic activities, licenses should be so restricted. Firms should

¹¹ Not printed.

¹² For text, see *Conference of Berlin (Potsdam)*, vol. I, p. 555, footnote 1.

¹³ Allied Control Council.

¹⁴ Neither printed.

be permitted to withdraw from their blocked accounts fixed monthly amounts which should be limited to minimum figure necessary to support approved domestic operations. Licenses should contain express prohibition against any alterations whatsoever in capital structure of firm.

(2) Monthly reports of all expenditures should be required from licensed firms and made available to you and Brit for examination. They should be checked carefully for excessive or abnormal expenditures and for transactions which appear to indicate that firms are concealing or dissipating their assets.

(3) Should such reports, or other available info, disclose concealment or dissipation of assets, or attempts to do so, you should first request Portuguese to revoke firm's operating license. If Portuguese decline to revoke license or revocation does not produce desired results, you should consult with Brit with view to prompt appointment of temporary Allied management having complete power over company, including dismissal of undesirable personnel. You may base authority for such action on Allied assumption of supreme authority in Germany and refer to notification to Portuguese of claim to title or control of German external assets.

(4) You should adhere to foregoing procedure with respect to future licenses granted to German entities for so-called normal commercial operations, except that you should press Portuguese to obtain prior concurrence of you and Brit in granting of initial licenses. See numbered pgh 3 Dept's instruction 86 Aug 7¹⁵ (copy to London).

Dept has noted that Emb's note 60 of May 7 to Portuguese¹⁵ did not include an important desideratum, as requested by Dept in model note,¹⁶ i.e., that Portuguese authorities should consult with you as to principles underlying licensing of transactions involving assets covered by freezing decrees. Emb should press for exchange of views with Portuguese on this question in order that policies adopted by local authorities in this connection will not negate primary purposes of blocking controls.

Dept views problem in Portugal with great concern. It is emphasized that Emb should do all in its power to forestall any action either by Portuguese authorities, or private interests, which would prejudice the eventual and complete assumption of Allied authority, by means of ACC vesting action, of German assets within Portuguese jurisdiction.

Keep Dept fully informed of action taken on foregoing basis and of significant developments.

Sent to Lisbon, repeated to London 7200.

BYRNES

¹⁵ Not printed.

¹⁶ See telegram 3158, April 22, 6 p. m., to London, p. 873.

800.515/9-545 : Telegram

The Acting Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, September 5, 1945—8 p. m.

4192. Reurtel 4982 Aug 17.¹⁸ All functions of US Censorship ceased as of Aug 15. For several months prior to that date Dept and Treas endeavored to forestall demise of Censorship on basis its major importance to Proclaimed List and SAFEHAVEN programs. However, notwithstanding strong objections expressed to Byron Price¹⁹ in letters under signature Secs State and Treas,¹⁸ Censorship was terminated with Presidential authorization. Price has indicated to Dept that with capitulation of Japan, mission of Office of Censorship has been completed and Agency will be demobilized as swiftly as possible, that censoring operations have entirely ceased, but that Censorship will pass on to Dept for next 30 days any info of interest received from other United Nations censorships. At end of 30-day period whole allocation machinery will be disbanded. War Dept has been asked by Censorship to allocate to Dept any intercepted info developed by their Censorship groups in occupied territory abroad and War Dept now considering whether it can also allocate to other agencies info developed by whatever civilian censorships are operating in Europe month from now.

Dept wishes to stress that demise of Censorship in no way affects policy to continue PL²⁰ or follow active SAFEHAVEN program. Effectiveness of these programs will now depend to greater degree on ingenuity of missions and substitute techniques developed to offset loss represented by dissolution of Censorship.

Re position to be taken with Fr[ance], see Dept's cirtel Aug 18¹⁸ suggesting discussions with Fr authorities as to desirable censorship techniques. Some of Dept's suggestions in this connection will have already been adopted by Fr censorship. Dept's position vis-à-vis European govts as to censorship matters has, of course, been weakened by cessation of Censorship activities in US and it is recognized that question of local censorship is one for indigenous govts to decide. It is hoped, however, that liberated govts will maintain censorship until such time as their internal controls are effective and that basic purposes sought by Dept's aforementioned cirtel can be achieved.

Sent to Paris, repeated to Brussels, Copenhagen, Oslo, Berlin and missions for Netherlands and Luxembourg.²¹

ACHESON

¹⁸ Not printed.¹⁹ Director of United States Censorship.²⁰ Proclaimed List.²¹ As telegrams 798, 212, 271, 404, 130, and 30, respectively.

800.515/9-2845 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, September 28, 1945—9 a. m.

[Received 1:11 p. m.]

4236. At his invitation I called upon Mr. Petitpierre,²² who handed me following note dated Sept. 25 in reply to my note August 3 (Legtel 3799, Aug. 4; ²³ repeated 1321 London; 636 Paris; 60 Lisbon; 35 Stockholm.)

(Official translation)

Federal Political Dept. has honor to acknowledge receipt of note 2132 by which the Legation of the USA informed it that the American Govt requests to exercise right of ownership to or control of German assets in Switzerland.

Federal Council has examined this request. It does not clearly see legal basis on which it (this request) rests. According to Federal Council's conception actual occupation of German territory by Allied Powers can hardly have any effects (*effets*) beyond German borders.

Aside from these legal considerations, Federal Council wishes point out that on March 8 it reached agreement with American, British and French Govts concerning question of German assets in Switzerland ²⁴ which had already been rendered inalienable (*indisponibilité*) [*(indisponibles?)*] on Feb. 16. These blocking measures have since then been perfected (*complétées*) and reinforced. The census of German assets in Switzerland, which the Confederation is carrying out in its own interest and for its own needs, is nearing an end. Federal Council would only be able to give its opinion on other measures once results of this investigation had become known.

With regard to looted assets which might be in Switzerland, Dept. considers it opportune to call attention to that which had been agreed upon by signatory govts of above-mentioned agreement. Federal Council confirming its decision "to prevent territory of Switzerland and that of principality from being used for disposal, concealment or reception of assets which may have been taken illegally or under duress during war", expressly declared that "in framework of Swiss legislation as it stands today or as it will be completed in future, all facilities will be given to dispossessed owners to claim in Switzerland and Liechtenstein assets found there". Furthermore, Swiss Govt, desirous of contributing within scope of its possibilities to reestablishment of legality—decided as it is to give its support in this connection to effort of Allies—would appreciate if the states, patrimony of which has been object of acts of spoliation, should communicate to it lists of assets stolen from their legitimate owners in order to establish if they are in Switzerland and, if so, to facilitate restitution thereof.

Federal Council, furthermore, has no intention of protecting assets belonging to German nationals who have during period of hostilities committed crimes or acted contrary to international law (*droit des*

²² Max Petitpierre, Swiss Minister for Foreign Affairs.

²³ Not printed.

²⁴ See letter of March 8 by the Head of the Swiss delegation, vol. v, p. 785.

gens) or laws of war. It is willing to examine in each individual case claims which might be put forward by Allied Govts in regard to these assets. (There follows usual closing.)

(*End translation*)

My British colleague also received from Mr. Petitpierre parallel reply his note of Aug. 3.

After informing Mr. Petitpierre that I would submit text his reply I took opportunity impress upon him our dissatisfaction with slowness in effecting census inadequacy measures taken and non-cooperation (Legation's 4211; ²⁵ repeated London 1407; Paris 692, Sept. 25) and that in concert with my British and French colleagues we intended to take up this matter with him within next few days. Petitpierre assured me that Federal Council desired fulfill their engagements and that he would be glad receive and discuss any proposals we might care present. For this purpose my British and French colleagues and I propose call upon Petitpierre and expose our desiderata which appear required in light of such difficulties as outlined in my 4211.

Repeated London, Paris, Lisbon, Stockholm, Moscow, Buenos Aires, Madrid, Ankara.

HARRISON

740.00119 Control (Germany)/9-3045: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, September 30, 1945—1 p. m.

[Received September 30—10:25 a. m.]

10176. For Clayton. Since Mr. Bevin ²⁶ was engaged with the Foreign Ministers at the time of the receipt of your message (S515, September 27 ²⁷) I arranged to have the substance of it delivered at once to his Secretariat notifying Bevin. Arrangements were made to have it referred to the experts in the German Dept and in the Economic Warfare Dept who are dealing with the question of German external assets.

Discussions yesterday with the Economic Warfare Dept revealed continued strong British objections to the immediate issue by ACC (Allied Control Council) of a vesting decree. Reasons for the British stand are as follows:

1. His Majesty's Government object on both legal and tactical grounds to the immediate issue of a decree vesting German external

²⁵ Not printed.

²⁶ Ernest Bevin, British Secretary of State for Foreign Affairs.

²⁷ This message (printed in vol. III, p. 840) instructed Ambassador Winant to take up with Mr. Bevin the question of British delay in approving the United States proposal in the Allied Control Council for a decree on vesting and marshalling of German assets.

assets in a body to be created by the Control Council for this purpose.

2. It is certain that the neutral governments will not readily admit the Allied claim to ownership of German assets in neutral countries. The Swedish Government have asked on what grounds this claim is based and His Majesty's Government do not see what effective reply can be given to this enquiry. It is impossible to contend that the effect of the surrender has been to vest in the Control Commission the title to all German assets abroad since this in substance means that the Control Council has by virtue of the surrender wider powers over German assets abroad than an ordinary sovereign government generally has over property belonging to its nationals situated in foreign territories.

The British representative on Control Council has been given these reasons as a basis for attempting to convince his American and French colleagues that an immediate vesting decree would be unwise.

Should the British representative be unsuccessful he must refer back to London for further instructions.

Because of this necessity for reference back to London I consider it most unlikely that a unanimous decision in favor of an immediate decree will be reached at the October 1 meeting.

3. Moreover His Majesty's Government have grave doubts whether it would be in Allied interest to maintain any such contention. The Allied Governments are more likely in the future as in the past to wish to uphold the right of their own courts to decide on the validity of transfers, effected under foreign laws, of property situated within their jurisdiction. It seems to His Majesty's Government that it would be a mistake to upset or make exceptions to these legal principles for the sake of German assets in neutral countries at any rate so long as there is any chance of obtaining some part of Allied demands by other arguments.

4. These "other arguments" are of course Mr. Rubin's proposal that the Allies should approach neutral governments not on the ground that the Allies are legally entitled to German external assets but on the ground that they have fought the neutral countries' battle and saved them from Nazi tyranny and have suffered terrible losses in consequence. The Allies are morally justified therefore in asking that German external assets should be handed over to them as a small make-weight for their sacrifices. Immediate issue of the decree will seriously prejudice any chance of success which the Rubin proposal may have since it will at once raise the issue of the legal right to vest and thus precipitate the discussions with neutral governments which it is so desirable to avoid.

5. An argument which has been advanced in favor of the immediate issue of the decree is that delay will give Germans in neutral coun-

tries more time to conceal their assets. This argument is hardly tenable. In the first place the issue of the decree will not in itself prevent concealment and in the second place such a public declaration of Allied intentions as the issue of the decree might accelerate and stimulate concealment.

6. The fact of issuing the decree will not effect the transfer of German external assets into Allied hands. The decree will have no validity in neutral countries unless and until it is recognized and enforced by the governments and the courts of those countries. It will be open to German concerns in neutral countries to plead duress and it is difficult to believe that the local courts will reject this plea which will be based on the incontrovertible ground of a decree of expropriation. In other words German concerns in neutral countries will have obtained the very thing for which they are seeking. In the opinion of His Majesty's Government no harm could be done to Allied interests if the issue of the decree were postponed until after the Rubin approach had been tried and failed.

7. It would be interesting to know what action the US, Russians and French Governments contemplate when it seems certain the Allied claim to German external assets is rejected by neutral governments on legal grounds. His Majesty's Government would find it very difficult to follow them in extreme measures such as cutting off exports to those countries since they consider that neutral resources should be used to the utmost possible extent in rehabilitating the devastated regions.

8. It is undeniable that the vesting decree creates a precedent which other governments may follow in future. Protests against the illegality of expropriation by other governments will lose much of their force if the latter can point to similar action in the past by the Allied Governments.

Sent Department as 10176; repeated USPolAd as 157.

WINANT

800.515/9-2945 : Telegram

*The Secretary of State to the Chargé in the United Kingdom
(Gallman)*

WASHINGTON, October 10, 1945—3 p. m.

8972. Stockholm's 3133, Sept 29,²⁸ rptd to London as 1713, to Paris as 173; see also Lisbon's SH report 386, Aug 29,²⁸ copied to London. (1) Considering far greater importance of dealing with immediate questions relating to control and disposition of German property, time which has elapsed since introduction of freezing controls, op-

²⁸ Not printed.

position of Fr and inevitability of delay in convincing other Allied govts of desirability of freeze, Dept and other interested agencies are prepared to drop question of freezing of assets of formerly-occupied countries in Sweden and Portugal. Brit Emb here states its govt agrees. Dept feels that realistic view calls for elimination of time-consuming aspects of SAFEHAVEN program on which little dividends can be expected. It would be desirable for Stockholm and Lisbon to suggest to their Allied colleagues with whom program has been discussed that while we will not press for complete freeze it would be highly beneficial to SAFEHAVEN for them to suggest *ad hoc* blocking to Swedish and Portuguese Govts in appropriate instances. Altho Dept has not favored a selective freezing operation this would seem to be an acceptable compromise at this stage of discussion.

2) Stockholm is requested to consider whether it is feasible to suggest to Swedes census of assets of formerly-occupied countries, as has been done in Portugal, without freeze of such assets.

So far as dual census in Portugal is concerned, Dept continues of view that suggestions for such census outlined in Dept's air mail instruction 86 of Aug 7, 1945²⁹ should be communicated to Portuguese authorities, particularly since it does not appear that Portuguese have been requested to undertake investigation of transactions involving transfer of enemy assets to Portugal since Jan 1, 1939. Dept, however, is willing to defer to Lisbon's judgment in this connection if Emb considers that arrangements already instituted are adequate to insure that transfers of enemy assets can be traced.

3) Question of freezing of assets of Hungary, Bulgaria, and Rumania is continuing under consideration.

Sent to London as 8972, repeated to Lisbon as 1633, to Stockholm as 1900 and to Paris as 4713.

BYRNES

740.00119 Control (Germany)/10-1745: Telegram

The Chargé in the United Kingdom (Gallman) to the Secretary of State

LONDON, October 17, 1945—5 p. m.

[Received 5:40 p. m.]

10850. For Rubin from Reinstein.³⁰ As requested in our teletype conference October 15 I discussed treatment of German external assets on October 16 with Playfair and Villiers of MEWFO (Ministry Economic Warfare Foreign Office) at some length. In general in-

²⁹ Not printed.

³⁰ Jacques Reinstein, Associate Chief, Division of Financial Affairs; Economic Adviser, U.S. Delegation, Council of Foreign Ministers, September 11–October 2, 1945.

troductory conversation Villiers expressed considerable exasperation over delay of US in adopting "Rubin approach" in contrast with ready British and French acceptance. Playfair emphasized that differences between us have been as to tactics and not as to objectives. He said British have felt that approach should be made to neutrals before issuance of vesting decree. He also stressed that primary objective in British view is to get rid of German influence and that while something should be realized question of receipts is distinctly secondary.

I pressed British strongly for immediate adoption of vesting decree pointing out that questions raised by neutral govts as to our legal authority seem to necessitate some action which would provide an answer as a basis for making our approach. Playfair agreed that this argument has validity. He finally admitted that British Commander in Germany had been instructed that if question of vesting decree is raised by US at Coordinating Committee meeting on October 26 he should not object to adoption of decree.³¹ Playfair said the wording of decree is an entirely separate matter and thought it should be possible to reach agreement on the wording in legal directorate. He made clear that while British would agree they are not convinced this is proper action although he admitted that something must be done to resolve present stalemate.

With reference to sanctions Playfair and Villiers both thought this is matter to be considered in light of answer to our notes and circumstances prevailing at the time. I pointed out that it was hardly wise to initiate a program without some idea of what we shall do if neutrals refuse to agree. Villiers suggested that a flat refusal is unlikely and thought it hopeless to raise a hypothetical question and to get any answer in the British Govt as to what might be done under circumstances which cannot readily be envisaged. He asked what form of sanctions we would propose and pointed out that British financial position vis-à-vis neutrals is not such as to make pressure through financial measures very useful. He said flatly British would not cut off coal to Switzerland or Sweden in order to get cash. I pointed out that there are various means of exerting pressure and that the question was not one of getting cash but of getting rid of Germans. Finally in response to direct question as to whether British Govt would be willing to exert pressure on neutrals Playfair and Villiers said that while they are without authority to com-

³¹ For discussion of the decree at the Sixteenth Meeting of the Coordinating Committee, see telegram 869, October 28, 1 p. m., from Berlin, vol. III, p. 887; approval was given by the Control Council at its Tenth Meeting, October 30, as reported in telegram 896, October 31, 6 p. m., from Berlin, *ibid.*, p. 848. For text of Control Council Law No. 5, Berlin, 30 October 1945; Vesting and Marshalling of German External Assets, see *CC Official Gazette*, No. 2 (30 November 1945), p. 27, or Department of State publication No. 2630, *United States Economic Policy Toward Germany*, p. 88.

mit British Govt they felt that the answer was "in principle yes" for the purpose of getting rid of German influence. They made clear that their feeling is that compromises would have to be made in practice regarding the actual disposition of German assets as between the neutrals and the Allies. I pointed out that it makes a great deal of difference what kind of compromise is proposed and referred to the disagreement which has arisen regarding the Italian war debts to Switzerland. Neither Playfair nor Villiers was familiar with this matter but agreed that subject was one on which no compromise could be made.

I pressed very hard for the initiation of some consideration as to what can be done by way of putting pressure on the neutrals. Villiers was very stubborn in his insistence that this would not be useful but I think Playfair agrees to necessity. I will discuss the matter privately with him and urge again its importance. British urge that notes to neutrals be presented as soon as possible and felt that best approach was on apparently already previously suggested point, drafting by British and US Missions in neutral countries with reference to London and Washington. They said their missions are already at work on this and urged that we instruct ours to collaborate with them. They hoped that Oliver³² and Baker³³ might be able to discuss text of notes and suggested that they come up to London from Paris for a day or so for this purpose. [Reinstein.]

GALLMAN

800.515/10-1745: Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, October 17, 1945—6 p. m.

[Received 8:50 p. m.]

4431. As indicated last paragraph my 4236, (repeated London 1416; Paris 698; Lisbon 70; Stockholm 42 and Madrid) September 28, and after concerting action with my British and French colleagues I have discussed with Mr. Petitpierre present unsatisfactory situation with regard to our efforts to unearth German assets in Switzerland and in particular our dissatisfaction with lack of cooperation on the part of Swiss officials and their apparent failure to implement the March agreement. I called his attention *inter alia* to certain specific instances in which we felt that there had been a failure to live up to

³² Covey T. Oliver, Associate Chief, Division of Economic Security Controls; Counselor, U.S. delegation, Paris Conference on Reparations, November-December 1945. For documentation on this Conference, see vol. III, pp. 1169 ff.

³³ George W. Baker, Assistant Chief, Division of Economic Security Controls; Chief of the External Assets Division, U.S. delegation, Paris Conference on Reparations.

the March commitments to comply with promises for exchange of information to prevent the dissipation of German blocked assets and to plug loopholes in the existing federal decrees. I also urged the desirability for closer collaboration and direct contact with the SCO (Swiss Compensation Office). To that end I handed Mr. Petitpierre informally, and my British colleague has done likewise, an *aide-mémoire* listing suggestions as to measures to be taken by the Swiss authorities as follows:

"1. To provide us in detail with the information procured by them as a result of the census of German assets and to provide for full exchange of information in the interim stages of investigation.

"2. To forbid with adequate penalties the alienation, hypothecation, conversion, removal or disposal of or any transfer of right in German or German controlled property without Allied approval to annul any such transactions already effected and in general permit the Allies to participate in the control through a licensing system of all transactions involving such property.

"3. To impose adequate penalties for failure to comply with the decrees and regulations with respect to German or German controlled property.

"4. To reduce present exemptions under the census decree relating to moveable property from the present limit of 25,000 francs to 10,000 francs.

"5. To establish a special tribunal to hear cases involving looted property, amend the statutes of limitation with respect to the recovery of stolen property for the purpose of assuring the rights of persons whose property was seized by the Germans, exceptionally in such cases to place the burden of proof upon the holders of looted property and to permit representations on behalf of dispossessed persons by their Governments.

"6. To require a declaration under the census regulations of all royalty, annuity, patent licenses and exploitation rights regardless of values.

"7. To require declarations with respect to the property of all individuals of German nationality without exception as well as all individuals who held German nationality at any time since January 1, 1937.

"8. To inspect safety deposit boxes held by or on behalf of Germans and communicate the results to the Allied authorities.

"9. It is understood that all the foregoing shall apply equally to Liechtenstein and is not intended to be all inclusive."

Mr. Petitpierre took notes of the various points which I had made. He said the census would be expected [to] be completed by middle of next month and if progress appeared to have been slow and perhaps disappointing the magnitude and complexity of the task should not be overlooked. He assured me that he would give prompt consideration to our suggestions, some of which he already felt might be accepted and promised to discuss the matter with me further as soon as

possible. In conclusion I pressed the urgency for effective action or otherwise our task would become increasingly difficult.

Repeated London 1455; Paris 719; Lisbon 74; Stockholm 45 and Madrid.

My French colleague is to present the matter likewise to Mr. Petitpierre.

HARRISON

800.515/11-245 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, November 2, 1945—9 p. m.

[Received November 2—8:45 p. m.]

4603. From Mr. Petitpierre I received yesterday *aide-mémoire* relative to Legation's *aide-mémoire* of Oct. 15 (Legtels 4431 and 4432, Oct. 17³⁴ repeated to London, Paris, Libson, Stockholm and Madrid) which follows in translation:

1. Federal Council cannot admit that attitude it has had up to now regarding German assets in Switzerland not in line with engagements which result from agreement March 8, 1945.³⁵ It notes that the requests made by US Legation in its *aide-mémoire* of Oct 15 cannot be based on clauses of this agreement but go beyond what had been agreed upon at the time.

2. Federal Council as already stated in its note of Sept. 25 (cf. Legtel 4236, Sept. 28) does not discern juridical basis of Allied demands. It would be glad to receive necessary clarification in this connection. Nevertheless, how Allies, as occupying powers of Germany, could invoke rights which, if put forward by regular German Govt, would never have been accepted by Confederation can be questioned.

3. Federal Council declares itself once again disposed inform Allies as completely as possible of measures taken or to be taken by competent Federal authorities regarding blocking and census of German assets. It cannot however accept that decisions to be taken by Federal authorities in this regard be submitted to Allies prior approval.

4. In connection with assets taken illegally or under duress as well as those brought into Switzerland without permission Federal Council as stated in above-mentioned note intends neglect no means of contributing to restoration of legitimate ownership. To this end Federal authorities at present preparing decree providing that assets in question now in Switzerland or in Principality of Liechtenstein should be returned their legitimate owners whoever individual holding them may be and without consideration date on which they were taken. Special tribunal would be instituted take cognizance of actions for recovery of property bearing on such assets.

5. Safe deposit boxes leased by German nationals in Swiss banks will be opened and inspected.

³⁴ Latter not printed.

³⁵ See footnote 20, p. 862.

6. Total result of census German assets Switzerland will be known by Federal Council only second half November and it will be communicated soon as possible to Allied Powers. Meanwhile Federal Council not in position make statement on amount these assets or manner in which they could be disposed of with exception assets mentioned in 4 above.

Repeated London, Paris, Lisbon, Stockholm, and Madrid.

Mann³⁶ requests Treasury be informed.

HARRISON

740.00119 Control (Germany)/11-1045: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 10, 1945—10 a. m.

9901. Since ACC has now issued external assets vesting decree,³⁷ following model draft note to Swiss ForMin has been prepared which if Brit and French agree would be presented in parallel *démarches* to other neutrals also by our Missions in these countries:

"I have the honor, under instructions from my Govt, to make the following communication to Your Excellency.

On October 30, the Allied Control Council, representing the four Govts exercising supreme authority in Germany, adopted a Law establishing a German External Property Commission and vesting in this Commission all rights, titles, and interests in or with respect of any property outside Germany owned by German nationals within Germany or by certain German citizens or legal entities outside Germany.

A copy of this Law is enclosed as an annex to this note.

The attention of the Govt of Switz is called to the introductory clause of this Law stating the Council's determination 'to assume control of all German assets abroad and to divest the said assets of their German ownership with the intention thereby of promoting international peace and collective security by the elimination of German war potentials.'

My Govt wishes me, further, to make clear its purpose in supporting the program to be administered by the German External Property Commission. The primary objectives are to achieve security by completely eliminating Germany's economic and financial potential for another war, and to devote these resources to the relief, reparation, and rehabilitation of countries devastated by German aggression. Restoration of the damage done in their territory will substantially depend on the rapidity with which these countries obtain the means of importing goods despite their present unfavorable foreign exchange position. Thus, realization for reparations account of the value of German external assets will largely tend to promote restoration of their trade with Switzerland and thereby Switzerland's participation in European reconstruction.

³⁶ James Mann, U.S. Treasury Department representative in Switzerland.

³⁷ See footnote 31, p. 908.

In view of the foregoing, my Govt assumes that the Govt of Switz will give full effect to this decree and cooperate in its implementation.

My Govt is not unmindful of the fact that the control and disposition powers to be exercised by the German External Property Commission raise economic questions of great importance to the Govt of Switz. It is thought desirable that there be worked out in consultation with the Govt of Switz such arrangements consistent with the objectives of the Law, as will avoid economic dislocations and advance our mutual interest in a harmonious solution to this problem.

For these reasons it is proposed that a meeting be held between representatives of the Allied Govts acting on behalf of the Control Council and representatives of the Govt of Switz to reach agreement on the manner in which German property in Switz can best be administered, liquidated or otherwise disposed of. It is suggested that this meeting be held in Washington during the week beginning Jan 10 and in any case not later than Jan 31. The agenda of this meeting would comprise agreement on the disposal of these assets in such a way as to protect Swiss interests as well as those of the United Nations (including approval of purchasers, terms of sale, etc.) and on currency or foreign exchange questions arising out of the use for reparations and rehabilitation of the funds so realized. It is also expected that an understanding can be reached on the domestic decrees and orders necessary to achieve our objectives, on the establishment of administrative machinery for full intergovernmental cooperation, and on any other related questions which the Govt of Switz wishes to propose for discussion. An early reply to this invitation would be appreciated.

I understand that the Brit and French Ambassadors are addressing to Your Excellency a communication in similar terms. Accept, etc."

London and Paris should discuss proposed note with Brit and French Govts, explaining that we feel it avoids raising legal questions, indicates tangible advantages to neutrals are obtainable through their cooperation with us, and while couched in sympathetic terms does not plead or otherwise show weakness. Brit and French notes however need not be identical with ours though they should avoid indicating any substantial difference between Allies. You might remind Brit that Swiss are trying to stir dissension between us and therefore their note should not be susceptible of such exploitation.

In notes to other neutrals dates would of course be changed. Our suggestion is that we negotiate with Swedes first during week beginning Jan 3 and with Spaniards week beginning Jan 17. Negotiations with Portuguese can take place beginning about Jan 24. Please report promptly response of Brit and French Govts and if they agree suggest they inform their missions so that notes can be presented quickly.

Rptd to Paris as 5257 and for info and comment only to Madrid as 1845, to Lisbon as 1768, to Stockholm as 2083 and Bern as 3271.

BYRNES

800.515/11-1545 : Circular telegram

*The Secretary of State to Certain Diplomatic Missions Abroad*³⁹

WASHINGTON, November 15, 1945—1 p. m.

After further consideration, Dept has come to view that from an external security standpoint blocking of assets in neutrals of satellite countries (Hungary, Rumania, Bulgaria) is not of major importance. In view of current British position cited London's 10004 Sept 26⁴⁰ (rptd Paris 618, Stockholm 607, Bern 287, Lisbon 213, Moscow 325, Madrid 254) and fact that Soviets have not withdrawn their opposition to freezing of both public and private assets of satellite countries, there would seem to be little hope of pursuing matter to any concrete advantage. Dept is therefore willing to withdraw from its original position espousing complete blocking of above countries in neutrals as a primary SAFEHAVEN objective.

Consistent with foregoing Dept has no objection to Madrid's approval (Madrid's 2222 Oct 30,⁴¹ rptd to London as 6120) of *ad hoc* releases of assets of Hungarian, Rumanian and Bulgarian citizens from Spanish blocking decree, provided no info is available militating against such action.

Foregoing decision is not to be considered a renunciation of claims to such German external assets in neutrals as may eventually be found to have been secreted therein under the cloak of satellite ownership.

Sent to London for discussion with British, and to Paris, Stockholm, Bern, Lisbon, Moscow, Madrid, Ankara, Buenos Aires and Dublin for information.

BYRNES

800.515/11-1945 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, November 19, 1945—11 a. m.

[Received November 19—10:07 a. m.]

224. No acknowledgment or reply to notes delivered Nov 1 to Irish Govt⁴¹ requesting cooperation on SAFEHAVEN project has been received by British, French or US. None of us have received intimation from External Affairs officials as to de Valera's⁴² position. In our view this forecasts unfavorable attitude . . .

³⁹ For Missions to which this telegram was sent, see last paragraph of telegram.

⁴⁰ Not printed: this telegram reported that the British opposed taking any further action regarding the freezing of satellite assets in neutral countries (800.515/9-2645).

⁴¹ Not printed.

⁴² Eamon De Valera, Irish Prime Minister and Minister for External Affairs.

[The remaining portion of this telegram deals with the position of the German Minister and other Germans in Ireland on repatriation of Germans from Ireland.]

GRAY

740.00119 EW/11-1245 : Telegram

The Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, November 23, 1945—6 p. m.

5468. For Angell,⁴³ No. 45. Before receiving your 44 (Emb's 6556) Nov 12⁴⁴ and 45 (Emb's 6557) Nov 12,⁴⁵ Dept had drafted and sent to Paris proposed text of note to neutrals on external assets. If not already done, please arrange that copy of this tel (Deptel 9901 Nov 9 [10] to London, rptd to you as 5257) be shown to you.

Our views on questions raised in your ref tel and in Angell 14 Nov 3⁴⁶ are as follows:

1. Our proposed note is designed to reveal only our general position to neutrals and request them to meet with us promptly at a fixed date for negotiations. This would reduce possibility of rejection of note as Fr fear, and also tend to prevent negotiation by diplomatic communication which would delay solution. In this respect, Brit proposed note and Fr proposal that negotiations be conducted by Missions on Iberian Peninsula and special delegations elsewhere are unacceptable. We believe more can be obtained by having neutrals meet with us individually in Washington or perhaps Paris where negotiations can be conducted by appropriate personnel from Brit, Fr and Am Govts. We suggest, therefore, that Brit note be changed in this respect to conform with our proposed note.

Although we feel that Brit note overstates legalistic arguments, we see no objection to notes differing in form or emphasis if above changes are made. Only other change we recommend in Brit draft, if ours is unacceptable to them, is elimination of phrase in pgh 4(a) "with compensation to the German owners in German currency". Vesting decree left this question open and we feel it is preferable to

⁴³ James W. Angell, United States Representative, Allied Commission on Reparations, and Chairman of the United States delegation, Paris Conference on Reparations.

⁴⁴ Not printed; it reported on a discussion between American, British, and French officials concerning possible approaches to the neutral governments on the subject of German external assets within their territory (740.00119 EW/11-1245).

⁴⁵ Not printed; this telegram transmitted the text of a British draft note to the neutrals on the German assets problem (740.00119 EW/11-1245).

⁴⁶ Telegram 6371 from Paris, not printed.

eliminate ref to compensation. Also we suggest that Brit modify their note to mention specific date on which negotiations should begin.

2. We agree with you that Fr plan for arbitrary percentage of net proceeds for neutrals is not acceptable. If concessions have to be granted, we suggest that they be worked out to discriminate between various types of neutral claims against Germany. Our present position is that concessions could be considered only with regard to pre-war debts.

3. We do not agree that we bring into negotiations entire question of maintenance of Proclaimed List. If neutrals raise this question, we should be prepared to bargain on it but it is contrary to our interests to show a willingness to give up this control prematurely. It appears to us that we can most effectively ensure liquidation or reorganization of firms on our terms if we retain them on list until such time as arrangements satisfactory to us have been made.

4. Your pgh (c) on disposition of assets raises administrative question involving IARA ⁴⁷ relations with German external property commission of ACC. A subsequent cable being drafted deals with question of liquidation and administration as well as disposition of external assets.

5. Dept is considering question of sanctions raised in your ref tel and we feel strongly that agreement on this subject should be obtained before entering upon negotiations with neutrals. Supply sanction is not only one available and we are considering others involving frozen funds, seizure of neutrals' property in Germany, etc.

6. We suggest that Swedes be tackled first in negotiations, with Swiss second, Spain third and Port fourth. We prefer Washington as situs but should like your views on desirability of holding negotiations in Paris which has advantage of central location and presence of all Allies concerned. However, can adequate housing and other arrangements be made?

Sent to Paris for Angell No. 45 as 5468, rptd to London as 10216, Madrid as 1902, Lisbon as 1816, Bern as 3393 and Stockholm as 2128.

BYRNES

740.00119 Control (Germany)/12-345: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 3, 1945—8 p. m.

[Received 9:45 p. m.]

12651. In lengthy discussion Villiers and Brandt of MEWFO (reference Department's 10409, November 30 ⁴⁸) expressed strong personal

⁴⁷ Inter-Allied Reparations Agency.

⁴⁸ Not printed.

preference for Department's draft model note (Deptel 9901, November 10 to London, repeated 5257 Paris) and consequently they feel Paris draft note (Angell's 45 November 12 to Department⁴⁹) should be dropped. However they strenuously contested Washington as place for negotiations (Embtel 12569, December 1 to Department⁵⁰ repeated 763 Paris). We emphasized Washington as situs because maximum pressure could be exerted there upon neutral representatives. Villiers and Brandt felt that even if neutrals agreed, this would require more time to complete negotiations because neutral negotiators would have to refer back to their Governments on every important point. Our reply was that even if this were true we preferred Washington . . . Once having obtained favorable results from the Swedes, we would be in a far better position to insist upon our demands with the other neutrals. We have emphasized that Department will be adamant on this point and our impression is that Villiers and Brandt may well give way. Accordingly we urge that Department, in any discussion with British Embassy insist upon Washington as situs negotiations.

2. Villiers endeavoring clear Department's model note immediately with other interested British agencies. If latter agree, Villiers concurs that British and French notes should follow Department's note very closely.

3. Subject to clearance with other interested British agencies, Villiers and Brandt agree with paragraph 6 Deptel 10216, November 23 to London (repeated Angell 45⁵¹) that we take Swedes first in our negotiations, Swiss second, Spanish third and Portuguese fourth. They emphasized, however, that notes to these four countries should be presented simultaneously. They are reluctant, however, to include in their notes any definite date for negotiations but would include in Swedish note request for immediate negotiations.

Sent Department as 12651, repeated Paris for Angell 770.

WINANT

740.00119 Control (Germany)/12-545: Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, December 5, 1945—8 p. m.

[Received 9: 59 p. m.]

4932. Re my 4903, December 3.⁵² Mr. Petitpierre informs me, also my British and French colleagues, that Swiss Ministers Washington,

⁴⁹ Telegram 6557 from Paris, not printed.

⁵⁰ Not printed; it conveyed MEWFO's feeling that the discussions with the neutrals should be held in the respective neutral capitals (740.00112 EW/12-145).

⁵¹ Same as telegram 5468, *supra*.

⁵² Not printed.

London and Paris have been instructed to propose joint meeting for discussion question German assets during January next by when expected Swiss census and classification will be substantially completed for practical purposes. Ministers will also suggest Bern for meeting.

German assets are being classified as (*a*) those in Switzerland prior to January 1933, (*b*) those originating between that date and September 1, 1939, (*c*) from that date to January 1942 [1943] (Stalingrad), and (*d*) from then until February 1945, (blocking decree). Mr. Petitpierre felt that category (*a*) was a Nazi of long standing, (*b*) as mostly refugee from Nazi control, (*c*) probably small, as this was period when Germans were confident of victory and (*d*) period when Nazi assets might be expected to have sought refuge.

Probably Swiss will wish to discuss PL and blocking (certification) with US also.⁵³

HARRISON

740.00119 Control (Germany)/12-745: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 7, 1945—7 p. m.

[Received December 8—1:37 a. m.]

12851. 1. British have now agreed to Dept's model note (Deptel 9901, November 10 to London, repeated 5257 Paris, 1845 Madrid, 1768 Lisbon, 2083 Stockholm, 3271 Bern) and are dropping Paris draft. British have telegraphed Washington and other missions accordingly. Text of British draft note which follows very closely Dept's note is being transmitted to Dept (Embtel 12852 December 7 to Dept.⁵⁴ repeated Paris 779 for Angell). Missions please request text from British colleagues.

2. Main difference in text British note is omission of phrase "acting on behalf of Control Council" in first sentence, penultimate paragraph, Dept's note, in order to forestall any possibility Russian participation MEWFO urges similar change in Dept's note and feels strongly in view British concessions particularly their agreement to Washington as situs for negotiations, we should give way on this point.

3. British urge soonest possible presentation notes and therefore feel that unless Missions have compelling local reasons for proposing

⁵³ On December 10, an *aide-mémoire* was transmitted to the Department by the Swiss Legation suggesting that negotiations begin, preferably in Switzerland, at the earliest convenience of the Allied Governments on the problem of German assets in that country (800.515/12-1045).

⁵⁴ Not printed.

changes, our notes should be presented as now drafted subject modification urged paragraph 2 above.

4. British advise Swiss Minister London has approached Foreign Secretary expressing willingness discuss SAFEHAVEN and suggesting Bern as situs for discussions. In view this development, British think advisable negotiate with Swiss first and, if so, they suggest notes to Sweden. Spain and Portugal should request answer regarding negotiations "at a very early date". British state our proposed schedule negotiations is "very optimistic".

5. We discussed with Brandt Dept's position that presentation of notes be delayed until agreement reached with British and French on sanctions (Deptel 10595, December 6 to London ⁵⁵ repeated 5708 Paris for Angell). He expressed no dissent and merely stated that we must await Dept's promised telegram regarding sanctions. He emphasized again the necessity for soonest possible action.

6. We invite Dept's specific attention to second sentence of fifth paragraph of Dept's note which indicates our intention to devote German external assets to "relief, reparation and rehabilitation of countries devastated by German aggression". This statement appears also in British note. MEWFO has queried whether UK would obtain its share as a "devastated country". Apparently they are satisfied on this point. We feel that under this provision the UK's [*U.S.?*] could not claim any part of German external assets for itself and we therefore assume that our authorities have decided to forego any share thereof. If our assumption is incorrect, then this provision should be changed.

Sent Dept as 12851; repeated 778 Paris for Angell, 367 Bern, 677 Stockholm, 318 Madrid, 261 Lisbon.

WINANT

800.515/12-1445 : Telegram

The Acting Secretary of State to the Minister in Denmark (Davis)

WASHINGTON, December 14, 1945—8 p. m.

399. Freezing of assets in Sweden of countries formerly occupied by Axis was fully considered during course of recent negotiations with Swedes on SAFEHAVEN matters. Dept had strongly favored such freezing as only satisfactory way in which to block and identify enemy assets which may have been secreted in neutrals through names of persons in liberated countries. Question however turned out to be time consuming problem incommensurate with dividends to be expected, Swedes were in opposition to such freeze in absence of acquiescence of countries concerned and several liberated countries

⁵⁵ Not printed.

had serious objection to freeze on grounds of incompatibility with previous relaxations of controls over their assets by neutrals. Matter was therefore dropped in agreement with Brit so far as Sweden is concerned. Assets of most formerly occupied countries in Switzerland and Spain however were blocked early this year assuming approval of countries concerned. Dept has no objection to Danish authorities requesting Swedes to freeze Danish assets Sweden if they feel that such action would facilitate Danish SAFEHAVEN program but Leg should not press Danes to take this action.

ACHESON

800.515/12-1545 : Telegram

*The Ambassador in the United Kingdom (Winant) to the
Secretary of State*

LONDON, December 15, 1945—2 p. m.

[Received 4:51 p. m.]

13174. Embassy's 13124, December 14,⁵⁶ repeated 799 Paris for Angell.

1. Following is outline of Washington Embassy's Arfar⁵⁷ 1051, December 10 to MEWFO answering MEWFO's 1305, December 7:

(*Outline begins.*) State Dept reports that apparently Angell and Waley⁵⁸ still prefer Paris draft while French views still unascertained. Sanctions and inducements proposals regarding neutrals still being considered in Washington "at a high level". Broadly speaking proposed inducements are (firstly) unblocking (secondly) some relaxation of special blocking (thirdly) invitation join Bretton Woods acceptance SAFEHAVEN requirements as removing an obstacle to admission to United Nations and admission of organizations such as ECO.⁵⁹ Proposed sanctions are (a) "discrimination" in commodities under our control e.g. coal, rubber and petroleum (b) subjecting commercial transactions to special Treasury licensing (c) possibly denying exchange with Germany of materials and services. (*Outline ends.*)

2. Embassy observes that no reference is made by British in reporting Dept's views to possibility refusal returning to neutrals property owned by them in Germany.

3. We endeavored obtain MEWFO's reactions to above sanctions and inducements but were informed that these are essentially political

⁵⁶ Not printed; it reported MEWFO's position that there should be no delay by the Allied Governments in presenting notes on German assets to the neutrals pending agreement among themselves on the question of sanctions to be applied in the event of noncooperation by the neutrals (740.00119 Control (Germany)/12-1445).

⁵⁷ British communications indicator.

⁵⁸ Sir David Waley, British Representative, Allied Commission on Reparations; Head of the British delegation, Paris Conference on Reparations.

⁵⁹ European Coal Organization.

and economic policy problems to be determined principally by other British depts e.g. FO, Treasury, etc., and not by SAFEHAVEN authorities. Also that those Depts had these problems under consideration but no conclusions reached yet. We urged British decide on these proposals before Christmas (subject to Dept's forthcoming sanctions telegram) and emphasized Dept's views that notes to neutrals could not be presented until British, French agree on sanctions. MEWFO referred to Arfar 1305 which pressed Washington for presentation notes before sanctions agreed. We answered presentation notes not so imperative now in view Swiss request to negotiate and emphasized Washington would be adamant and no progress possible without prior sanctions agreement.

4. MEWFO official reverted to usual argument that British unable apply sanctions because their necessity foster European trade, etc. He thought British would not object to our applying such sanctions unilaterally. His personal view was British would support such unilateral sanctions in the sense that if we withheld e.g. oil from Switzerland, British would refrain from sending oil. We replied this would be very unsatisfactory and urged necessity of united front against neutrals particularly regarding sanctions.

5. Regarding Waley and Angell preferring Paris draft MEWFO confirmed British agreement on Dept draft as reported in MEWFO's Arfar 1292, December 5 to Washington,⁶⁰ repeated 186 Paris and transmitted in Embassy's A-1313, December 8 copied to Paris. (See also Embtel 12851, December 7 to Dept, repeated 778 Paris.)

6. We also discussed whether in view Swiss request for SAFEHAVEN negotiations it would be necessary or desirable to present SAFEHAVEN note to Switzerland. Embassy believes on basis information available here would be mistake present full SAFEHAVEN note to Swiss (with appropriate minor modifications) in view Swiss *démarche*. If Dept feels a note to Swiss is necessary or desirable then we believe such note should merely consist of acceptance Swiss suggestion for SAFEHAVEN negotiations emphasizing Washington as situs for negotiations and indicating when they should commence. Since primary objective of Dept's draft already achieved by Swiss offer negotiate it would be mistake give Swiss chance to argue on other points in Dept's draft note. MEWFO official was inclined to agree personally. This procedure would not affect presentation notes to other neutrals.

Sent Dept. as 13174, repeated 803 Paris for Angell.

WINANT

⁶⁰ Not printed.

800.515/12-1745 : Telegram

*The Minister in Denmark (Davis) to the Secretary of State*COPENHAGEN, December 17, 1945—3 p. m.
[Received 6:04 p. m.]

693. To Dept and Treasury as 693 from Legation and Feig.⁶¹ Meeting held on December 15 with Danish Ministers for Foreign Affairs, Finance and Commerce⁶² at which my British colleague⁶³ and I requested effective SAFEHAVEN program in Denmark. We referred specifically to failure thus far of Danish Govt in implementing satisfactorily existing SAFEHAVEN legislation and strongly stressed need for immediate and vigorous action.

We took approach that we felt certain that Danish Govt agrees in principle and that we are ready to lend all possible assistance and give full cooperation toward this end.

As indication of our desire to cooperate we submitted an *aide-mémoire* containing *inter alia* outline of broad SAFEHAVEN objectives, suggested measures necessary and important to an effective SAFEHAVEN program, suggestion for an Anglo-American-Danish working party, and specific case summaries involving some leading enemy firms against which action appeared inadequate. Copy of *aide-mémoire* will be transmitted by despatch.⁶⁴

Feig explained in some detail the implications, operation and other technical aspects of an effective SAFEHAVEN program and pointed out some of shortcomings of present Danish program.

I stressed importance of quick, effective action with respect to SAFEHAVEN program because of its influence on other important matters such as defrosting.

Minister of Foreign Affairs expressed appreciation for proffered assistance and stated his agreement in principle. He said he was prepared to take steps immediately to expedite SAFEHAVEN program and that he welcomed suggestion for a tripartite working party. Such a working party was formed on the spot and first meeting arranged for December 18. Feig is to act as technical advisor to working party.

My reaction to meeting is (a) Danes now fully appreciate that US and British Govts are seriously interested in SAFEHAVEN problem (b) leading Govt ministers and other officials appear disposed to carry out an effective SAFEHAVEN rapidly in implementation of such a program (c) the working party will provide an effective medium through which

⁶¹ Bernard Feig, member of the United States Treasury Department delegation in the United Kingdom, temporarily assigned to Denmark.

⁶² Gustav Rasmussen, Thorkil Kristensen, Jens Villemoes, respectively.

⁶³ Alec Walter George Randall.

⁶⁴ Not printed.

to expedite implementation particularly if Legation can retain services of Feig to guide working party.

From Danish Govt official we learned informally that Danes have under consideration an enemy property sequestration measure.

Legation and Feig feel that we should await some more definitive and positive results of meeting before proceeding to conclusion of defrosting agreement.

Repeated London for Embassy and Taylor as 188.

DAVIS

740.00119 EW/12-2045 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 20, 1945—11 a. m.

[Received 9 p. m.]

13320. 1. We have just seen Arfar 1067, December 15, British Embassy, Washington to MEWFO which reported: (a) US proposals regarding sanctions now agreed and signing expected Monday.⁶⁵ (b) British Embassy urged Department reconsider its position that sanctions be agreed before presentation notes and Department undertook to do so before proposals signed.

2. In subsequent comprehensive discussion of reference Arfar Embassy again urged necessity immediate agreement on sanctions before any further action regarding neutrals as expressed paragraph 3 Embassy's 13174, December 15, to Department repeated 803 Paris for Angell. We said we could not possibly commence negotiations with Swiss (or even set date) until sanctions agreement reached. Any attempt to thrash out over-all policy questions involved in sanctions while negotiations going on would enable Swiss to discern disunity between ourselves and would stiffen Swiss resistance and probably cause them to try to play us off against each other. We repeated US would be absolutely adamant that sanctions be agreed before Swiss suggestion accepted. We therefore again pressed for immediate decision by interested British agencies on sanctions outlined in Washington Embassy's Arfar 1051, December 10, to MEWFO (Embtel 13174) subject to Department's forthcoming sanctions telegram. MEWFO official with whom we spoke said he personally quite agreed and would endeavor obtain sanction views of British authorities.

3. Soon after our discussion same MEWFO official telephoned stating necessary have official statement proposed US sanctions as basis for discussions by interested British agencies. He stated when De-

⁶⁵ December 24.

partment's forthcoming telegram on sanctions received MEWFO would make every effort to obtain official British sanctions decision. Embassy therefore urges sanctions telegram be sent soon as possible.

4. Embassy feels strongly sanctions should be agreed with British and French before answering Swiss and urges Department maintain that position. We feel British anxiety to proceed with Swiss and present notes to neutrals will constitute important pressure on them to reach earliest possible sanctions agreement and may assist in inducing them to abandon or modify their oft repeated reluctance to participate in any real sanctions.

Sent to Department as 13320, repeated 812 Paris for Angell.

WINANT

740.00119 Control (Germany)/11-1245: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, December 21, 1945—9 p. m.

11022. With ref to proposed note to neutrals transmitted Dept's 5257 Nov 9 [10], to Paris,⁶⁶ Dept's 5468 Nov 23 (45 for Angell) and 10216 to London commenting on Angell's 44 (Paris 6556 Nov 12⁶⁷), this Govt considers it essential that full agreement be reached by Brit, Fr and US, prior to negotiations, on use of sanctions against those neutrals which do not satisfy us in proposed negotiations. While this Govt is hopeful that negotiations can proceed without requiring any threat of such sanctions, it is basic to negotiations that if they do reach stage where any neutral country does not concur with our basic proposals as set forth below, that negotiators shd be in position to state to neutrals steps which will be applied by Brit, Fr, US and other Allied Nations, in event negotiations do finally fail.

Regarding legal justification of Vesting Decree and our request for recognition of its extraterritorial effects, this Govt shares the Brit view that legal argumentation with neutrals shd be avoided if possible. However, in view of fact that neutrals already have raised legal issue—some of them by expressing desire to know what our legal justification was and others by flatly refusing to recognize ACC as having right to act as Govt of Germany—it might become unavoidable to come out with statement explaining legal basis on which we are proceeding.

As matter of fact, present situation in Germany is unprecedented. Hence, no terminology of international law writings or of applicable court decisions can be used to describe it. However, neutrals must

⁶⁶ Same as telegram 9901 to London, p. 912.

⁶⁷ Telegram 6556 not printed; see footnote 44, p. 915.

recognize that with surrender of Germany, then existing govt in Germany has ceased to exist. Whether transfer of governmental power to victorious powers was implied by act of surrender or whether vacuum was created which had to be filled to avoid chaos, four occupying powers have "assumed supreme authority with respect to Germany, including all powers possessed by the German Government" according to declaration made at Berlin on June 5, 1945.⁶⁸ Under terms of surrender, Germany agreed to give effect to any orders or decrees issued by occupying powers. Hence, Law No. 5, "Vesting and Marshalling of German External Assets", is of no less binding force than would be any law enacted by former German govt.

As to contents of law, there can be no question about right of a govt, to marshal and to take over foreign exchange assets. Number of precedents were established during recent years, not only by former German govts but also by other govts. Justification for such laws has been up to now economic self-defense of the particular country. In case of law in question, reason for its promulgation was self-defense of whole civilized world.

Then-remaining question is whether exercise of such legislative power shd be granted extraterritorial effect. This basically rests on question as to whether, under well recognized principles of comity, it will be granted such effect unless acceptance of such legislation as having extraterritorial effect is held to be contrary to policy or public interest of foreign govt. On basis of issues of morality as well as practical issues involved neutral govts would be fully justified in stating that granting of extraterritorial effect to Vesting Decree is not against their policy or public interest. Morality issues have been fully explored in Rubin memo.⁶⁹ With ref to practical issues it can be pointed out that by recognizing Vesting Decree and by negotiation on disposition of assets, purchaser of an Axis interest in neutral countries will be in position to obtain clear title. On other hand in event that neutrals do not recognize Vesting Decree, title to German assets located in neutral territory will be subject to future contesting claims.

In considering those sanctions which are available and which will be effective, this Govt believes possible use of such sanctions in negotiations shd be brought into use only if neutrals fail to agree: 1) that ACC Vesting Decree applies to all German assets in neutral countries; 2) that all German assets shall be made available to ACC for reparation purposes. With ref to second criteria, this Govt would during

⁶⁸ Reference is to the Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority in Germany, signed at Berlin, June 5, 1945; for text, see Department of State Treaties and Other International Acts Series No. 1520, or 60 Stat. (pt. 2) 1649. For documentation, see *Foreign Relations*, 1945, vol. III, pp. 717 ff.

⁶⁹ For substance of the Rubin memorandum, see telegram 8411, August 20, 7 p. m., from London, p. 896.

course of negotiations consider, if necessary, reduction of second standard to permit neutrals to receive satisfaction of their pre-war claims out of German assets located in neutral country provided, of course, that effective job is obtained with respect to uncovering and turning over to ACC all German external assets. Obviously, however, such satisfaction could not be on 100% basis since many claims are founded on such investments as Dawes bonds,⁷⁰ Young bonds,⁷¹ etc., concerning which obviously only small percentage satisfaction would be justified. Exact proportion can be determined after such claims have been reviewed, and also on basis of effectiveness of neutrals in cooperating in marshalling German assets. Initially, however, all funds would be given to ACC which would then pay out agreed to percentage to neutrals.

Sanctions to be applied against neutrals can be divided into two categories:

I. Inducement to neutrals by way of certain steps which would be taken by Brit, Fr and US and other United Nations to remove certain existing controls, shd neutrals satisfy us on above two basic points and shd execution of agreement reached with neutrals prove satisfactory.

II. Sanctions which would be imposed over and above maintenance of existing controls.

In case of inducements, following would be included:

1. Deletion from PL and S Lists ⁷² of German-owned or controlled firms and subsidiary organizations upon liquidation or sale of such firms to satisfaction of Brit, Fr and US and neutrals involved.

2. Institution of procedure for defrosting blocked neutral assets in US, UK and Fr and other United Nations.

3. Quick removal, wherever possible, of all special licensing procedures covering financial and trade transactions.

4. Some satisfaction of pre-war claims as outlined above.

With respect to imposing of new sanctions on neutrals, (Standard II) this Govt considers that the threat of concerted use of all available sanctions shd be available to negotiators. This Govt considers following sanctions are now available:

1. Modification of existing freezing controls over assets and funds of neutrals or neutral nationals in Brit, Fr and US and other United Nations. This would include, for example, withdrawal of general licenses now available to neutrals in favor of institution of specific licensing procedure.

⁷⁰ See British Cmd. 2105 (1924) : *Reports of the Expert Committees Appointed by the Reparation Commission*. For documentation on United States interest in the Dawes Plan, see *Foreign Relations*, 1924, vol. II, pp. 1 ff.

⁷¹ See British Cmd. 3343 (1929) : *Report of the Committee of Experts on Reparations*. For documentation on United States interest in the Young Plan, see *Foreign Relations*, 1929, vol. II, pp. 1025 ff.

⁷² Reference is to the Proclaimed List and Statutory List.

2. Withholding from neutrals of all surplus property located abroad in which they may be interested.

3. Withholding of shipment of certain allocated products (such as coal) to neutrals from US, UK and Fr as well as general embargo on trade with Germany. In addition, US would be prepared through use of specific licensing procedure referred to in 1, above, to use such licensing procedure in such way as to restrict neutral purchases in Brit, Fr and US. In this connection, consideration can be given to withholding of certain shipping facilities in order to insure satisfactory execution of any trade restrictions that may be imposed, if such is found necessary and feasible to implement trade sanctions.

4. Refusal to neutrals of admission to Allied organizations such as European Coal Organization, etc.

5. Exclusion of neutrals from International Bank and International Monetary Fund proposed at Bretton Woods.

6. In addition, willingness of neutrals to comply with above demands could be considered with ref to their admission to membership in UNO.⁷³

Shd Brit and Fr suggest additional available sanctions this Govt is anxious to be so advised and would give them favorable consideration.

In presenting this proposal to Brit and Fr, you are instructed to point out to them that this Govt considers satisfactory conclusion of proposed negotiations with neutrals to be of highest importance, justifying, if necessary, the concerted use of above-described sanctions. Agreement on sanctions would merely constitute agreement to means of assuring execution of External Vesting Decree which was promulgated by Brit, Fr and US. Moreover, this Govt is of opinion that by having full agreement on use of such sanctions prior to negotiations and availability of sanction argument during course of negotiations, negotiators will be placed in better position of achieving our objectives without, in fact, having to resort to use of any or all of the above sanctions. Moreover, in event some neutrals satisfy us during course of negotiations, it is considered necessary that non-agreeing neutrals, shd not receive same treatment as those neutrals who satisfy us. At such time as the imposition of sanctions may become necessary with respect to any neutral, the decision on the extent to which we will apply such sanctions will naturally take into consideration then existing political and economic conditions with respect to that neutral.

London and Paris are therefore requested to inform Brit and Fr of this Govt's recommendations as set forth above, and to report to Dept on their reactions and on progress of your discussions.^{73a}

⁷³ United Nations Organization.

^{73a} In a memorandum dated January 22, 1946, the British Embassy registered the opposition of its Government to the United States proposals on the use of sanctions and inducements in the forthcoming SAFEHAVEN negotiations on the grounds that they were unnecessary and impractical (800.515/1-2246). Subsequent efforts by the United States and French Governments to induce the British Government to change its position proved unsuccessful. As a result, no preliminary tripartite agreement was achieved on the threat to use sanctions in the event the discussions with the neutrals broke down.

Sent to London as 11022; rptd to Paris as 6003 for Angell as NR 53; and to Berlin as 1129 for Murphy and Clay.

ACHESON

740.00119 Control (Germany)/12-2145

The Acting Secretary of State to the Secretary of the Treasury
(Vinson)

WASHINGTON, December 26, 1945.

MY DEAR MR. SECRETARY: As you know, there have been extended discussions between officers of our two Departments on the subject of implementation of the law vesting German external assets, which was recently issued by the Allied Control Council, and on the impending negotiations with the European neutral countries on recognition of this law and disposition of these assets. These discussions have involved the manner in which the negotiations with the neutrals are to be carried out, and the sanctions and inducements which will be available to the negotiators. The enclosed copy of a cable, which has been sent by the Department today,⁷⁴ reflects one aspect of the substantial agreement achieved in these discussions.

It is my understanding that the Treasury Department objected to the use in the draft cable of certain words which made it specifically appear, in presenting this matter to the British and French Governments, that unilateral action with respect to sanctions would under no circumstances be taken by this Government. This language has been stricken, and you will note that the cable now recommends only that the threat of concerted action should be available to our negotiators.

I should like to make clear, however, as has previously been indicated in informal conversations by officers of this Department, that it seems most unlikely that this Government will unilaterally impose sanctions of the type set forth in the cable. It is the Department's carefully considered view that such action as the withdrawal of presently outstanding general licenses, the limitation of scarce supplies, and the like, will be ineffective and therefore economically as well as politically undesirable unless joined in by at least the United Kingdom and France. I need hardly point out, for example, that limitation of coal supplies by the United States will be of no valuable effect if other countries are in a position to and in fact do make coal supplies available to the neutral countries. In addition, you will recognize the strong political undesirability of such unilateral application of sanctions as would make it appear that this program is solely of concern to the United States, rather than being the United Nations program which it properly is.

⁷⁴ Reference is to telegram 11022, December 21, to London, *supra*; Department file copy of this letter bears the drafting date December 21.

One further change has been made in the cable. As has been pointed out by the Department informally, the circumstances of our relations with the neutral governments at any given future moment cannot now be foreseen. The decision on application of the agreed sanctions can be made only in the light of all of the existing relevant conditions and circumstances. Other programs may have to be considered. To the extent possible, the Department is anxious to reach firm agreement with the British and French Governments on a program which would, in whole or in part, be put into operation should negotiations with the neutrals fail. Nevertheless, the decision to apply the measures suggested in the enclosed cable must be made only in the light of overall considerations of policy affecting our relations with the country in question. To reflect this point, an additional sentence has been added to the draft cable. This sentence, which has been inserted at the end of the third from last paragraph of the telegram, reads "At such time as the imposition of sanctions may become necessary with respect to any neutral the decision on the extent to which we will apply such sanctions will naturally take into consideration then existing political and economic conditions with respect to that neutral."

I believe it important to outline briefly the approach which the Department will instruct the principal Allied negotiator to make with reference to inducements and sanctions. Initially, it should be pointed out to the neutrals that it is our common desire to eliminate existing financial and trade restrictions in so far as these restrictions arise out of the Allied economic warfare program. Allied desire to return to free trade, international cooperation and understanding has been fully stated on numerous occasions. Unfortunately, but understandably, the removal of such restrictions and the inclusion of the neutrals at this stage in the United Nations' program for international cooperation and understanding cannot be undertaken while Axis persons, funds and entities remain relatively free in areas outside of Axis territory. Our program for reestablishing free trade and international cooperation cannot be satisfactorily executed while those forces which fought against these doctrines continue to exist. While we are just as anxious as the neutrals to terminate our so-called "black lists", our blocking of neutral funds, our financial restrictions on current transactions and similar controls, such controls cannot be removed until agreement is reached which will not only achieve our security objectives, but will also assure that those countries which were devastated and depleted by Axis aggression have made available to them the maximum possible of Axis funds for rehabilitation and reparation.

Failure to reach agreement on these issues, it should be indicated, will necessitate our reviewing the further steps that must be taken to

protect ourselves and to achieve our objectives. Such steps will require additional supervisory controls over trade and financial restrictions to assure that our security objectives are met. Obviously, we are not any more anxious than the neutrals to embark upon such a program, which is in opposition to our desires as it is to theirs. It is for that reason that we seek in the spirit of negotiation to achieve our objectives. Presumably, the neutrals share our anxiety to prevent future aggression and to assist in the relief and rehabilitation of devastated and depleted areas. The fact that without reaching agreement on these objectives we not only cannot find our way clear to remove existing controls, but must consider imposition of increased controls, distasteful though they may be, should sufficiently underline the importance with which we view the question of Axis assets and persons.

I feel that by discussing inducements and sanctions along the above lines, we present a reasonable and strong case, which makes very likely our obtaining our objectives. Should we subsequently find that our objectives are not being met, we can specify in greater detail those additional steps which we will have to undertake. This further step will depend, as stated above, on all the existing relevant conditions and circumstances.

Sincerely yours,

DEAN ACHESON

740.00119 Control (Germany)/11-945: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, December 29, 1945—5 p. m.

11131. London's 12851 Dec 7, 778 Paris, 367 Bern, 677 Stockholm, 318 Madrid, 261 Lisbon; Stockholm's 3613 Dec 11,⁷⁵ 1866 London, 212 Paris; and Paris' 7163 Dec 14,⁷⁵ 149 from Angell, Angell's 14 to London, 6 to Bern, 4 to Madrid.

(1) Omission of phrase "acting in behalf of Control Council" is deemed satisfactory by Dept in view of fact that negotiations will in any event be based on Vesting Decree. It is necessary by reason of interdepartmental clearances, sanctions question, overall relations with neutrals, that negotiations be conducted on diplomatic level rather than by ACC.

(2) Concerning point 6 London's 12851, Dept recommends second sentence pgh 5 Dept's note (9901 Nov 9 [10] to London, 5257 Paris, 1845 Madrid, 1768 Lisbon, 2083 Stockholm, 3271 Bern) should be changed to read "and to devote these resources to the relief, reparation and rehabilitation of countries devastated or depleted by German aggression".

⁷⁵ Not printed.

(3) While Dept concurs fully with Brit desire to present notes as soon as possible, Dept believes it important to reach agreement on application of sanctions before presentation of notes. In view of desire for Swiss to negotiate (see 4 below), Dept considers that delay presentation of notes is feasible since we can informally advise Swiss that we will be prepared to meet with them early next year. Dept suggests that we aim for Jan 28 as date at which to institute negotiations with Swiss and early part Jan as latest date for presentation of notes. London's and Paris' immediate consideration of Dept's sanctions tel would facilitate presentation notes and institution negotiations. London's 13124 Dec. 14,⁷⁶ 799 Paris, 378 Bern, 327 Madrid, 267 Lisbon, 683 Stockholm, appreciated in this respect.

(4) Dept concurs that in view representations of Swiss Ministers London and Wash for negotiations with Swiss, Swiss should come first, with request for Wash as situs. This would appear to be satisfactory to Stockholm in view pgh 2 its 3613 Dec 11. However, note to Swedes could set forth tentative date for which invitation would be made.

(5) Despite Swiss *Aide-Mémoire*⁷⁷ requesting negotiations, Dept believes it would nevertheless be desirable to present proposed note to Swiss which at time of presentation can be pointed out to be acceptance of their offer to negotiate (London's 13174 Dec. 15, 803 Paris; Angell's 145, Paris' 7137 Dec. 12 Angell's 5 to Bern, 3 to Madrid, 12 to London). In this way we will be able to make clear to Swiss our terms of reference for negotiations. Before making final decisions, Dept would appreciate receiving Bern's views.

(6) With ref Paris' 7604 [7004] Dec. 6,⁷⁸ 113 from Angell, 848 to London, Dept appreciates Angell's recommendation that status of ACC reps should be determined and clearly stated in advance. Dept is currently considering this question with War Dept and Clay, taking into full consideration Angell's comments his 113, and will advise you of decision reached. You will be advised further on this.

(7) With ref Angell's 145 (Paris' 7137 Dec. 12,⁷⁹ 12 from Angell to London), Dept appreciates very much his cooperation. With ref situation Madrid, negotiations with Spain can be conducted after Swedes and Swiss negotiations and, if necessary, nature of negotiations there can be altered. Dept is presently clearing with Treas tel to Madrid authorizing sale of Bakumar⁸⁰ as recommended by Madrid.

⁷⁶ Not printed; see footnote 56, p. 920.

⁷⁷ Not printed; see footnote 53, p. 918.

⁷⁸ Not printed.

⁷⁹ Not printed; this message dealt mainly with Mr. Angell's efforts to get the French to agree to the United States draft note contained in telegram 9901, November 10, to London, p. 912.

⁸⁰ Bakuera, Kusche and Martin, S. A.

(8) With ref pgh 4 Stockholm's 3613 Dec 11, it seems likely that reparations agreement will provide for some of Germany's external assets to accrue to US. However, consideration is being given to a procedure which will circumvent any weakening of our moral argument. Since we plan to permit desirable local neutral interests first crack at purchasing German-owned or controlled cos, neutrals possible fear of Allied imperialistic attempts would be unjustified. In view of London's apparent clearance of Wash as situs, Brit Legs opposition would presumably be corrected by appropriate directions from London. Fr approval Wash duly noted and appreciated (Paris' 7163 Dec 14).

(9) Concerning Stockholm's pgh 3, its 3613 Dec 11, Dept agrees fully on necessity reaching agreement with Brit, Fr on both inducements and sanctions prior to negotiations. Dept appreciates Leg's comments re Russia, unilateral sanctions and Brit special interests, and its decisions will naturally take into consideration these aspects problem. Dept agrees Stockholm's 3649 Dec 14 ⁸¹ that all three notes to Swedes should be identical with respect to specific date. London and Paris are requested to press this point with Brit and Fr. Specific tentative date can be agreed to once date for Swiss is set.

Sent to London as 11131 rptd Paris as 6076 for Angell NR 108, Bern as 3727, Stockholm as 2300, Madrid as 2088 and Lisbon as 1964.

ACHESON

⁸¹ Not printed.

INTEREST OF THE UNITED STATES IN MEASURES FOR THE PROTECTION AND SALVAGE OF ARTISTIC AND HISTORIC MONUMENTS IN WAR AREAS ¹

840.403/10-3044

*The Acting Secretary of State to the Chairman of the Roberts
Commission* ²

WASHINGTON, February 27, 1945.

MY DEAR MR. ROBERTS: This letter refers to certain previous correspondence and specifically answers your letter dated October 30, 1944.³

A. Summary of certain previous correspondence regarding restitution plans:

1. Letter from Justice Roberts to the Secretary of State, July 27, 1944.⁴ Quotes the Secretary's letter to the President (June 21, 1943⁵) outlining the functions of the Commission. States that the Commission's functions "During the War" are being performed, and that it stands ready to perform the functions indicated for it "At the Time of the Armistice"; asks to be advised of any directives being considered by the State Department "for incorporation in the armistice terms insofar as these affect works of art or historic monuments".

2. Letter from the Secretary of State (Hull) to Justice Roberts, September 2, 1944: ⁶ "The Department of State has not considered any specific directives on the restoration of works of art and historic monuments to be included in the Armistice terms, but it has formulated certain statements of policy with respect to reparation, restitution, and property rights vis-à-vis Germany which are applicable in part

¹ Continued from *Foreign Relations*, 1944, vol. II, pp. 1031-1067. For further information on this subject, see *Report of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas* (Washington, Government Printing Office, 1946); this report is generally known as the Roberts Commission Report, since the Chairman of the Commission was Associate Justice of the Supreme Court Owen J. Roberts. See also the statement by Assistant Secretary of State William L. Clayton made before the Subcommittee on War Mobilization of the Senate Committee on Military Affairs on June 25, reprinted in Department of State *Bulletin*, July 1, 1945, p. 29.

² The American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, under the chairmanship of Associate Justice of the United States Supreme Court Owen J. Roberts, had been established on August 20, 1943; for documentation, see *Foreign Relations*, 1943, vol. I, pp. 469 ff.

³ *Ibid.*, 1944, vol. II, p. 1039.

⁴ Not printed.

⁵ *Foreign Relations*, 1943, vol. I, p. 475.

⁶ *Ibid.*, 1944, vol. II, p. 1036.

to works of art and historic monuments." These statements of policy were attached in a memorandum. The Secretary asked for an expression from the Commission "with regard to the application of the principles set out in the . . . memorandum to the restoration of looted artistic and cultural objects".

3. Letter from Justice Roberts to the Secretary of State, October 30, 1944. Enclosed a document entitled "Principles for the Restitution of Works of Art, Books, Archives, and Other Cultural Property", dated October 11, 1944,⁷ as the Commission's recommended principles.

Urged consideration of 1) the military directives issued by SHAEF,⁸ and 2) draft directive prepared by American Delegation to EAC,⁹ to be issued to the Commander in Chief of the Forces of Occupation, and stated that these need clarification and broadening in scope.

Enclosed also the recommendations of the Macmillan (British) Committee, dated September 20, 1944.¹⁰ The Roberts Commission agreed therewith, but with two reservations regarding the proposed International Commission viz., 1) if such an International Commission is formed it should not only be advisory to the Commander of the Occupation Forces, "but should be the international agency to exercise the trusteeship of the cultural materials in Germany referred to in the 12th principle suggested by this (Roberts) Commission, and 2) any such international agency should be a United Nations organization".

4. Justice Roberts to Mr. MacLeish, February 3, 1945,¹¹ answering Mr. MacLeish's request to Mr. Crosby, January 18, 1945,¹¹ for the Roberts Commission's recommendations concerning the formation of a Restitution Commission on Art and Cultural Objects, and whether it should have advisory or adjudicatory powers. The Roberts Commission was of the opinions: *a*) that an overall Restitution Commission should be formed, with a branch on art and cultural property; *b*) that the latter should be *advisory*, the adjudicatory powers being lodged in another branch of the overall Restitution Commission; and *c*) it is premature for the Roberts Commission to state whether the so-called Vaucher Commission¹² could be the advisory branch until the

⁷ *Foreign Relations*, 1944, vol. II, p. 1041.

⁸ Supreme Headquarters, Allied Expeditionary Force. For information on the directives referred to, see *ibid.*, p. 1040, footnote 12.

⁹ European Advisory Commission. For information on the draft directive, see *ibid.*, footnote 13.

¹⁰ *Ibid.*, p. 1047. This Commission, headed by Lord Macmillan, had been established in May 1944.

¹¹ Not printed.

¹² Paul Vaucher was Chairman of the Inter-Allied Commission for the Protection and Restitution of Cultural Material whose "purpose was to study problems relating to protection, restitution and reparations, and to collect and organize information relating to looting, for the eventual use of SHAEF and particularly of its Civil Affairs Section." For further details, see *Report of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas*, pp. 25-30.

State Department has defined the constitution and functions of the overall Restitution Commission.

5. Letter from Mr. MacLeish to Justice Roberts, February 7, 1945,^{12a} acknowledges receipt of Justice Roberts' letter of February 3, 1945, and promises early answer.

B. *Questions in the above correspondence to which the present letter is an answer:*

1. Does the Department of State approve the twelve principles submitted by the Roberts Commission on October 30, 1944?

2. What is the position of the Department on the three "matters not covered", (A), (B), and (C), mentioned in the same document?

3. Has the Department defined its own position on the structure of the overall Restitution Commission, and on the sub-commission, or sub-commissions, which will deal with the restitution of art and cultural objects?

C. *With respect to the twelve (12) principles recommended by the Roberts Commission* in the document entitled "Principles for the Restitution of Works of Art, Books, Archives and Other Cultural Property", dated October 11, 1944, and submitted with Justice Roberts' letter to the Secretary of State, dated October 30, 1944, I have the honor to inform you as follows. I shall repeat the recommendations seriatim:

1. There should be an unlimited obligation on Germany to restore identifiable looted works of art, books, archives, and other cultural treasures.

Approved.

2. Restitution should be restricted to identifiable property in existence prior to German occupation.

Approved, with the modification that the words "of cultural objects" be inserted after the word "Restitution".

3. Looted property should be restored to the existing governments of the territories where the property had its situs and not to former owners individually.

Approved.

4. Looted property should be returned in the condition in which it is found.

Approved.

5. The return of such property should not count as a credit against Germany's other reparation obligations unless those obligations are expressly based on the removal of the property.

Approved, with the modifications that the word "other" be stricken, a period inserted after the word "obligations", and the rest of the sentence be stricken.

^{12a} Not printed.

6. In any case where damage to property is caused by a bona fide effort by the Germans to save the property, reparation may not be charged.

Not approved, on the ground that a general, not a specific, question of reparations accounting is involved.

7. All property removed to Germany during the period of German occupation (except for current output as contemplated under paragraph 2 above) shall be presumed to have been transferred under duress and accordingly treated as looted property.

Approved.

8. If identifiable looted works of art, books, archives, and other cultural treasures cannot be found, there should be an obligation on Germany to replace such articles by a comparable work of art of cultural treasure from their own public or private collections.

Approved.

9. There should be established by all European countries, neutrals as well as belligerents, a freezing control on the exportation and importation of works of art, books, archives, and other cultural property.

Approved.

10. The destruction of identifiable looted property by Allied bombing or other military action should not relieve Germany of the obligation to make reparation or to replace that property with other equivalent art.

Approved.

11. In the application of the principle of replacement, such replacement should be so limited as not altogether to deprive Germany of access to cultural materials.

Approved.

12. To carry out effectively the policies above set forth, consideration should be given to the creation of a United Nations committee, empowered to hold in trust and to administer the cultural resources of Germany, in order to repair, so far as possible, the injury done to communities and peoples deprived of access to art galleries, libraries, scientific museums, and cultural materials generally.

Approved in part. The general plan in Section (E) of this letter provides for a special section of the Restitution Commission to deal with the restitution of art and cultural objects. In addition, it is suggested that there be set up an International Advisory Art Commission, possibly composed of representatives of the national commissions of the interested governments.

The Department has not formulated a policy on the suggestion that the cultural resources in Germany be held in trust and administered in a manner to make them most available to the people of the devastated countries. It is noted that such a plan would be a substitution,

at least in part, of the principle of replacement referred to in Item no. 11. A program of this type would necessarily require agreement on the part of the governments concerned. The Department feels, however, in view of the fact that the United States was fortunate enough not to have any of its cultural treasures looted or destroyed, that it would be difficult politically for this Government to advance such a proposal.

D. *With respect to the three "matters not covered", viz. (A), (B), and (C), mentioned in the same document*, the position of the Department of State is as follows:

(a) Property appropriated by Germany from her own nationals.

The Department has under serious consideration the difficult legal, political, and economic questions involved in the restitution of property appropriated by Germany from her own nationals, but conclusions with respect to this question cannot as yet be stated.

(b) Cultural property which was formerly in an Allied country found in another Allied country, as, for example, paintings from a French Museum found in Holland.

(See comment under (c))

(c) Allied art property found in neutral countries.

With respect to these two points, the Department has already taken steps to obtain application of the principles enunciated in Bretton Woods Resolution VI.¹³ A detailed explanation of the steps taken is attached as Annex A, entitled "Memorandum on Endorsement of Bretton Woods Resolution VI".¹⁴

E. *Machinery for Restitution of Art and Cultural Objects*

The Department regards the problem of implementing the restitution and replacement of cultural objects as part of the broader problem of providing machinery for carrying out the policy of the Allies with regard to restitution in general. The nature of that problem will be different after the establishment of the Allied control machinery in Germany from what it will be in the preceding (or "SHAEF") period. This reference to the desirability of dealing with all questions of restitution under a single Restitution Commission does not indicate that the same policies will necessarily be followed in the restitution of all kinds of property. The handling of the more permanent cultural

¹³ For text of this resolution on Enemy Assets and Looted Property, see Department of State, *Proceedings and Documents of the United Nations Monetary and Financial Conference, Bretton Woods, New Hampshire, July 1-22, 1944* (Washington Government Printing Office, 1948), vol. I, p. 939; for documentation on the Conference, see *Foreign Relations*, 1944, vol. II, pp. 106 ff.

¹⁴ Not printed; it quoted applicable parts of Resolution VI and gave the substance of circular telegrams of September 29, 1944, printed *ibid.*, pp. 235-236, and 237-238. It concluded with the statement: "The State Department has therefore taken all possible steps to endorse, to obtain endorsement by others of the United Nations, and to obtain action directed toward the objectives of the Resolution."

objects may present special problems and needs and hence may call for different procedures.

In the proposals of the European Advisory Commission regarding the control machinery for Germany¹⁵ there appear two provisions which have a very important bearing on the present subject matter. The first is the proposed creation of a control organ called "Division of Reparation, Deliveries, and Restitution", which would be an integral part of the general control machinery. The second is a clause which expressly states that United Nations organizations which may be admitted by the control authorities to operate in Germany will, in respect of their activities in Germany, be subordinate to the Allied control machinery and answerable to it.

Present thinking in both the United States and British Governments favors the early establishment of a Restitution Commission, composed of representatives of the U.S., U.K., U.S.S.R. and the interested European Allies, which would be charged with the execution of Allied policy relating to the restitution and replacement of all kinds of looted property. It is likely that such a Commission will be a subordinate organ of the Reparation Commission, but in any event it will, almost unquestionably, be subordinate to the Allied control machinery in Germany.

The Department believes that such a Commission should be guided by the principle of returning looted property to the government having jurisdiction over the situs from which the property was taken. It is felt that if the Commission were to go further and attempt to adjudicate disputes with respect to ownership, liens, etc., it would soon become a center of controversy. Such disputes should be settled as nearly as possible in the circumstances which obtained before the looting took place, and this can best be accomplished in the manner indicated.

The nature of the responsibilities of a Restitution Commission will probably necessitate its being organized by sections, each section to be composed of experts in a given field. One of such sections would probably be a Division on cultural objects, works of art, etc., made up of representatives of all the countries represented on the Restitution Commission. To this section would fall the duty, within the limits of the policies laid down by the Restitution Commission (and ultimately by the Allied Control Authorities), of locating, identifying, safeguarding, restoring or replacing all types of cultural objects.

¹⁵ For text of the Agreement between the United States, the United Kingdom, and the Soviet Union on Control Machinery in Germany, signed at London, November 14, 1944, and text of the amending agreement between the three signatory powers and the Provisional Government of the French Republic, signed at London, May 1, 1945, see Department of State Treaties and Other International Acts Series No. 3070; or *United States Treaties and Other International Agreements*, vol. v (pt. 2), p. 2062. For documentation, see *Foreign Relations*, 1944, vol. I, pp. 100 ff.; *ibid.*, 1945, vol. III, pp. 160 ff.

It is felt in the Department that if restitution machinery of the type sketched above is agreed to by the major Allies and established, it may well be supplemented by an international advisory art commission, composed perhaps of representatives from the various national commissions. Such an advisory commission should, in the opinion of the Department, be established at the earliest possible moment in order that it may advise the military authorities during the SHAEF period. Such a body should have no adjudicatory function, but should be purely advisory.

Sincerely yours,

JOSEPH C. GREW

740.00119 EAC/4-345 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, April 3, 1945—6 p. m.
[Received April 3—4: 52 p. m.]

3381. Comea ¹⁶ 203. The problem of restitution of cultural property looted by Germany requires especial consideration in the European Advisory Commission as a particular aspect of general problem of restitution. Consideration of this problem will be greatly expedited if I can be enabled promptly to circulate a draft agreement on principles to govern cultural restitution.

Except in two details noted below, the draft which follows is based on Mr. Grew's letter of February 27, 1945, to Justice Roberts, chairman of the American Commission for the Protection of Artistic and Historical Monuments, which Sumner Crosby, special adviser to the Roberts Commission and to the Department, was instructed to show me.

The French memorandum on restitution (EAC 45/22)¹⁷ which sets forth policies incompatible with United States views on restitution, will form the basis of EAC discussions unless I can circulate a United States draft agreement in time to secure its adoption as a basis of negotiations.

The United States draft directive (EAC 44/31)¹⁸ on arts and monuments provides for joint action in identifying and safeguarding cultural objects pending action for their restitution.

Text of proposed draft agreement follows, with order of articles changed for security:

¹⁶ Series indicator for telegrams from the United States delegation to the European Advisory Commission in London.

¹⁷ Dated March 3, not printed; it called for firm measures to insure prompt return of confiscated material and replacement of art treasures in case the originals had been lost or destroyed (740.00119 EAC/3-345).

¹⁸ *Foreign Relations*, 1944, vol. II, p. 1060.

The Governments of the United Kingdom, the Union of Soviet Socialist Republics and the United States of America and the Provisional Government of the French Republic have agreed on the following principles which will govern the restitution of works of arts, books, archives and other cultural property looted by Germany :

[Here follows list of principles similar to articles 1-8 and 11-12 in the draft agreement submitted to the European Advisory Commission on June 11, 1945, printed on page 943.]

The draft makes two additions to the principles set forth in the letter of the Under Secretary. Both are urged by Mr. Crosby and the responsible officers of the United States control group.

The second sentence of article 4 provides that once an object has been returned to a claimant country and accepted by it, that country may not claim additional replacement in kind as compensation for damage to that object. Without this provision a claimant could accept the return of a looted object and still request replacement in kind as compensation for damage or deterioration suffered by it. If such multiple or overlapping claims were allowed, the administrative problem of effecting cultural restitution would be fairly complicated. The words "within a period of 2 years after the surrender or defeat of Germany" have been added in article 8. Some time limit is necessary in order to avoid indefinite prolongation of restitution procedures and in order to impress on the Germans the need for full and speedy cooperation. The French proposal on restitution (EAC 45/22) provides in paragraph 2 a time limit of 6 months. This limit seems too short in view of the conditions likely to prevail in Germany during the first 6 months after defeat.

I trust the Department will promptly authorize circulation of this draft agreement on the EAC.

WINANT

800.515/5-1245 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 12, 1945—1 p. m.

3722. Careful consideration has been given to proposal for control of art exports contained in Embassy's telegram 1237, February 5, Embassy's airgram 107, February 2.²⁰ There is no disagreement in

²⁰ Neither printed. The airgram contained the text of instructions sent by the British Ministry of Economic Warfare (MEW) to Lisbon, Madrid, and Stockholm, the details of which were summarized in telegram 1237. The instructions called for submitting to London for examination photographs of all paintings and pictures scheduled for export except where consular officers had personal knowledge that the owner was non-enemy. (800.515/2-245)

principle with the British proposal, but we are inclined to favor a total prohibition on all imports and exports to, from, and within the Continent, including Turkey. There are outstanding advantages to be gained from such a prohibition: (1) British and American control authorities would be relieved of an administrative burden. (2) Total prohibition is the surest way to eliminate foreign markets, intracontinental and transoceanic, for looted art. The Roberts Commission on further examination of the British scheme (Redept's 2120, March 19²¹) feels that unless an elaborate administrative mechanism is established, the scheme as proposed is unworkable for the following reasons: (*a*) lack of data on any but most famous paintings, (*b*) possibility of substitution of copies without detection, (*c*) inability of control authorities to determine artistic or intrinsic characteristics which give value to objects. (3) deprivation of foreign markets should tend to preserve the *status quo*. This we consider highly desirable until Allied Control Commissions, and liberated, and perhaps neutral, governments have not only instituted restitution measures but also have made such measures effective.

The prohibition would be effective until a licensing system is established in the particular country concerned. Each country would be required to assume the responsibility of establishing its own licensing procedure. As soon thereafter as British and American authorities are satisfied that the controls are adequate, licensed shipments could be permitted to pass through the blockade. Assumption of this responsibility by the governments of the liberated areas would be consistent with our past statements in which we have recognized their primary interest and responsibility in matters relating to restoration of looted properties. We believe such countries will, as in the case of other *SAFEHAVEN*²² *desiderata*, be glad to support our demands upon neutral governments for institution of similar measures.

The total prohibition can, of course, be made effective immediately insofar as the Western Hemisphere is concerned by operation of the blockade. As for the Eastern Hemisphere, we should have to rely upon the local governments.²³ The Department is prepared at this time to approach the European co-belligerents along the foregoing lines and also to include the freeze and licensing suggestions in our *SAFEHAVEN* negotiations with neutral countries. Please discuss the foregoing with the British Government and report its comments as

²¹ Not printed; it reported that the details of the British proposal were still under discussion in Washington (800.515/2-545).

²² Code name for the United States program to forestall German attempts to hide assets outside Germany, particularly in European neutral countries; for documentation, see pp. 852 ff.

²³ For documentation on Anglo-American cooperation on policies and problems concerning the Proclaimed and Statutory Lists, see pp. 827 ff.

promptly as possible. You should impress upon them the urgency of the matter, particularly since we should wish to include this point in the SAFEHAVEN discussions presently under way in Sweden, Spain, and Portugal.

Pending a decision on the above proposal, you should depend upon the present British system of control and the advice of the London representative of the Roberts Commission. In this connection, we have received no information from Madrid on the case of the portrait of José Rafino de Olasco and therefore the Embassy's action is approved.²⁴

GREW

740.00119 EAC/5-1345 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 13, 1945—5 p. m.

[Received May 13—4:40 p. m.]

4785. The urgent need for making progress in the formulation of principles to govern restitution of cultural property referred to in Department's 3574, May 7, 3 p. m.,²⁵ is further underlined in a communication addressed on April 3 to the United Kingdom Government by the Netherlands, Belgian and Luxembourg Governments and now circulated in the EAC by the United Kingdom delegation as EAC 45/54 Comea 245. Full text by air.²⁶

Covering letter of the Belgian Ambassador urges the immediate establishment of an inter-Allied organization representing all looted countries to supervise the execution of cultural restitution. The memorandum proposes (1) prohibition of removal or alienation of cultural objects in Germany except by permission of the Allied authorities; (2) return of all looted cultural property; (3) replacement in

²⁴ In telegram 4091, April 21, 1945, from London, the Secretary of State was informed that the British Consul at Bilbao had received an application for shipment to Buenos Aires of a portrait of José Rafino de Olasco, a copy of an original by Spanish Artist Hernando Álvarez Sotomayor. Photostats of this portrait were submitted to the Macmillan Committee which raised no objection to the shipment. The American Embassy at Madrid was informed by the Embassy at London to this effect. Ambassador Winant requested instructions "whether MEW should authorize such exports if Macmillan Committee approves without our having received advice from Washington regarding findings of the Roberts Commission." In the event urgent cases were presented, the Ambassador requested permission to be guided by the London representative of the Roberts Commission. (800.515/4-2145)

²⁵ Not printed; it stated that the Draft Agreement on Principles of Cultural Restitution which the United States proposed to present in the European Advisory Commission was still undergoing clearance in the War Department and that the Embassy would be kept informed on its progress (740.00119 EAC/4-2745).

²⁶ The text of this document, dated April 3, was transmitted to the Department as an enclosure to despatch 23042, May 14, from London, neither printed. It had been circulated in the European Advisory Commission by the United Kingdom delegation on May 10. (740.00119 EAC/5-1445)

kind if looted property is not found within 6 months or if property is not returned intact; (4) taking of similar enemy property as pledges to secure return of looted property; (5) restoration of pre-war Allied property located in enemy territory; (6) full information and technical services to be provided by Germany. Separate proposals will be presented concerning looted scientific material.

WINANT

800.515/5-1745 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 17, 1945—5 p. m.

[Received 6:45 p. m.]

4933. SAFEHAVEN. Plan set forth in Embassy's A-107, February 2,²⁷ for controlling exports of works of art was submitted by MEW to French, who have suggested cooperation by Service de Récupération Artistique (French Agency engaged in recovery of works of art which examines all claims and has every means of identifying many looted works of art). French suggest that copies of photographs and details furnished to consuls in connection with applications for blockade facilities be made available to Service de Récupération who will as soon as possible, communicate any information they have, together with their recommendation to the Macmillan Commission.

MEW believes that French should be consulted. Although appreciating that proposal made in Dept's 3722, May 12 (now under consideration by Brit) would supersede present scheme, Embassy and Roberts Commission representative in London feel that French participation would be advantageous and should be requested as regards any cases decided pending decision on Washington's proposal and implementation thereof.

WINANT

740.00119 EAC/6-1345

Memorandum by the United States Representative on the European Advisory Commission (Winant)

EAC (45) 59

LONDON, June 11, 1945.

DRAFT AGREEMENT ON PRINCIPLES GOVERNING RESTITUTION OF CULTURAL PROPERTY ²⁸

1. There shall be an unlimited obligation on Germany to restore identifiable looted works of art, books, artistic or historic archives and other artistic or historic property.

²⁷ Not printed; see footnote 20, p. 940.

²⁸ The text of this draft had been sent to Mr. Winant in telegram 4490, June 5, 7 p. m., to London, not printed. The document was circulated in the European Advisory Commission on June 11, and a copy was transmitted to the Department as an enclosure to despatch 23642, June 13, from London, not printed.

2. Looted property shall be claimed through the existing Governments of territories where the property had its situs and not directly by the former owners individually. Looted property or replacements therefor shall be delivered to such Governments.

3. The return of such property shall not count as a credit against Germany's reparation obligations.

4. Looted property shall be returned in the condition in which it is found. If a claimant Government accepts a returned object in a damaged or deteriorated condition it may enter a claim on reparation account for such damage or deterioration but may not demand replacement in kind in compensation therefor.

5. The destruction by Allied bombing or other military action of artistic or historic property known to have been looted shall not relieve Germany of the obligations to make reparation or to replace that property with other comparable artistic or historic property.

6. Restitution of artistic or historic objects shall be restricted to identifiable property in existence prior to German occupation.

7. All artistic or historic property removed to Germany during the period of German occupation shall be deemed to have been transferred under duress and accordingly treated as looted property.

8. If works of art, books, historic or artistic archives and other artistic or historic property known to have been looted cannot be found within a period of two years after the unconditional surrender or defeat of Germany, there shall be an obligation on Germany to replace such articles by comparable objects from German public or private collections.

9. Works of art and objects of artistic and historic value used in connection with religious ceremonies or edifices of any faith which have proved ecclesiastical ownership prior to 1938 may not be used for replacement in kind.

10. Pending the determination of claims for restitution or replacement in kind, works of art, books, artistic or historic archives and other artistic or historic treasures in German public or private collections may not be used for reparations.

11. In the application of the principle of replacement, replacements shall be so limited as not altogether to deprive Germany of artistic or historic materials.

12. The four Governments will urge that all European countries establish a freeze on the exportation and importation of works of art, rare books, artistic or historic archives and other artistic or historic property in order to cooperate in preventing the concealment of artistic or historic property which has been looted by Germany. The freeze should be followed by provision for the licensing of transactions which would have no harmful effects and which would provide a means for carrying on such commercial transactions as may be possible and proper.

[For further documentation relating to restitution of objects of artistic and cultural value, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, volumes I and II, index entries under Germany: Restitution; also volume II, index entries under Italy: Reparations.]

862.515/8-1445 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, August 14, 1945—7 p. m.

1834. For Pauley.²⁹ Dept understands that you and Mr. Clayton³⁰ in approving General Clay's³¹ proposal for transfer of German art treasures to US for safekeeping expressed reservation concerning issuance of public statement making clear that such works of art would eventually be restored to Germany.³²

General Clay has advised War Dept that President had previously approved issuance of such a statement and has asked for further instructions.

Dept is strongly of opinion that both our own people and German people should be assured that we are not appropriating German art treasures. Although Germans may be required to replace in kind looted works of art, books, artistic or historic archives and other cultural treasures which have been destroyed or irreparably damaged, German art should not be appropriated for other purposes. US should set high standard of conduct in this respect and not expose itself to public criticism which would be certain to develop in Allied countries as well as in Germany if it appeared that the US was indulging in "cultural looting." We believe that a statement should be issued in Germany by General Clay, and here by the Dept, making clear that German art treasures are being sent to US only for safekeeping and that they will eventually be returned intact except for such levies as may be made upon them to replace looted artistic or cultural property which has been destroyed or irreparably damaged.

Sent to Moscow, repeated to London for Clayton, and to USPolAd,³³ Frankfurt for Despres.³⁴

BYRNES

²⁹ Edwin W. Pauley, United States Representative on the Allied Commission on Reparations; for documentation relating to the work of this body, see vol. III, pp. 1169 ff., *passim*.

³⁰ William L. Clayton, Assistant Secretary of State for Economic Affairs.

³¹ Lt. Gen. Lucius B. Clay, United States Deputy Military Governor for Germany and Commanding General, United States Group, Allied Control Council for Germany.

³² See the memorandum by Messrs. Pauley and Clayton to General Clay, July 30, *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, vol. II, p. 924.

³³ United States Political Adviser for Germany, Robert D. Murphy.

³⁴ Emile Despres, Adviser on German Economic Affairs in the Office of Assistant Secretary of State Clayton.

800.515/S-2145 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary of State*LONDON, August 21, 1945—6 p. m.
[Received 7:10 p. m.]

6470. 1. SAFEHAVEN officials immediately took up proposals Dept's 3722, May 12 with MEWFO (Ministry Economic Warfare Foreign Office) but were informed that discussions were proceeding on Foreign Office level re Dept's 6680, August 8.³⁵

2. Final paragraph Dept's 4490, June 5³⁶ summarized proposals contained in Dept's 3722 and SAFEHAVEN officials were informed that restitution and related problems were now matter for EAC (European Advisory Commission) negotiation. No further action was taken therefore on SAFEHAVEN level.

3. Discussion on questions relating to restitution in EAC was subsequently prohibited by Dept³⁷ and pursuant these instructions all action on proposals contained in draft restitution agreement including paragraph 12 was suspended.

4. Embassy will arrange meeting with Foreign Office and other British agencies to discuss proposals outlined in Dept's 3722 and will report.

WINANT

800.515/S-2245 : Telegram

The Secretary of State to the Ambassador in the Soviet Union (Harriman)

WASHINGTON, August 22, 1945—noon.

1884. On August 1, 1945 Secretary of State addressed following letter to Molotov.³⁸

"The United States Zone Commander has informed me that he now holds in the United States zone large amounts of art objects which may be considered in three classes:

³⁵ Not printed: it stated that the Department had not received any report setting forth the comments of the British Government on the American proposal for a freeze on the shipping of art objects to, from, and within Europe (800.515/5-1245).

³⁶ Not printed: the final paragraph of this telegram was identical with that of the memorandum by the United States Representative on the European Advisory Commission, June 11, p. 943.

³⁷ This decision had been made by President Truman on the recommendation of Mr. Pauley; it was transmitted to London in telegram 5109, June 23, 1945, not printed.

³⁸ Vyacheslav Mikhailovich Molotov, People's Commissar for Foreign Affairs of the Soviet Union. An identical letter was sent on the same date to Ernest Bevin, British Secretary of State for Foreign Affairs.

a. Works of art taken from the countries overrun by Germany and readily identifiable as publicly owned, and works of art taken from private owners in the overrun countries by seizure and without compensation.

b. Works of art taken from private collectors in the overrun countries for which some compensation is alleged to have been made to the owners.

c. Works of art which were bona fide property of German citizens or institutions.

Instructions have been issued to the Zone Commander to return the works of art of the first two categories to the governments of the countries of origin as rapidly as arrangements can be effected. With respect to the second category, receipts will be taken indicating the amount of compensation alleged to have been paid by the Germans.

It is contemplated that the third category of works of art will be shipped as rapidly as arrangements can be effected to the United States for care and safekeeping, for which adequate facilities do not exist in Germany. Their eventual disposition will be subject to future decisions."

In reply dated August 8 transmitted by Soviet Embassy here³⁹ Molotov took note of the instructions with reference to points *a.* and *b.* of Secretary of State's letter and then stated in paragraph 2 "with respect to the instructions mentioned in point *c.* we cannot concur. As you remember, in the declaration of January 5, 1943,⁴⁰ the Allied governments warned the governments and citizens of neutral countries that they reserved to themselves the right to declare invalid any transfer of property rights to plundered property and any transactions involving this property, so much the more because there are no grounds for establishing in this respect any privileges whatever for German citizens and institutions".

Dept can not understand this paragraph, particularly since the statements therein do not appear relevant to the disposition of art in category *c.* which is art of bona fide German ownership.

Please obtain clarification from Soviet FonOff.⁴¹

BYRNES

³⁹ The reply was delivered to Acting Secretary of State Grew by the Soviet Chargé (Novikov) during a conference on August 8.

⁴⁰ For text of the Declaration Regarding Forced Transfers of Property in Enemy-Controlled Territory, see *Foreign Relations*, 1943, vol. 1, p. 443.

⁴¹ Telegram 3317, September 18, 11 p.m., from Moscow, gave the explanation from the Soviet Foreign Office that the reference in the paragraph quoted above was to "property which had been established as having been removed by the Germans from territory temporarily occupied by the Germans even if the present owner of the property had acquired it honestly." (800.515/9-1845)

862.515/8-1745 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 28, 1945—7 p. m.

7383. Reurtel 8305, August 17.⁴² For Clayton. While agreeing that announcement made on removal of German art to US should omit reference to German obligation to make replacement in kind, Dept disturbed by your view Germans should not be required to replace looted art destroyed or not found.

Dept in past has always accepted replacement in kind with respect to restitution of art as distinct from restitution of objects of no unique cultural value. On June 5 Dept transmitted (no. 4490⁴³) to Winant draft agreement on restitution of art approved by State-War-Navy Coordinating Committee and Roberts Commission which provided "if works of art, books, historic or artistic archives and other artistic or historic property known to have been looted cannot be found within a period of two years after the unconditional surrender or defeat of Germany there shall be an obligation on Germany to replace such articles by comparable objects from German public or private collections". Moreover, all countries which lost part of their cultural patrimony to Germans strongly insist on replacement in kind.

Repeated to USPolAd, Berlin for Pauley and Despres as 362.

BYRNES

800.515/9-1045 : Telegram

*The Acting Secretary of State to the United States Political Adviser
for Germany (Murphy)*

WASHINGTON, September 11, 1945—8 p. m.

446. Reurtel 484; Sep 10.⁴⁴ Text of announcement of removal of German art as revised and approved by Dept is as follows:

"The US Govt is removing from Germany to Continental US certain art objects not readily identifiable as looted property with the sole intention of keeping such treasures safe and in trust for the people of Germany or the other rightful owners. The US Govt will retain these objects of art in its possession only as long as will be necessary to insure their physical safety or until such time as it may be possible to determine the rightful owners.

When the appropriate Allied bodies determine the rightful owners or the return of conditions in Germany whereby the safety of these

⁴² Not printed.

⁴³ Not printed, but see the memorandum by the United States Representative on the European Advisory Commission, June 11, p. 943.

⁴⁴ Not printed; it requested the text of the announcement to be made regarding the transfer of art to the United States (800.515/9-1045).

objects can be definitely assured, they will be distributed according to the directives of such Allied groups.”⁴⁵

It is expected that more detailed announcement will have to be made in Washington in the near future to counter rumors and anticipated criticism concerning action. Dept will advise you in advance regarding date of such announcement in order to synchronize it with announcement in Germany.⁴⁶

ACHESON

862.403/9-1745

The British Secretary of State for Foreign Affairs (Bevin) to the Secretary of State

LONDON, September 17, 1945.

DEAR MR. BYRNES: In your letter of 1st August,⁴⁷ which you wrote to me from Potsdam, you mentioned, among other things, that it was contemplated that works of art, in the United States Zone of Germany, which were the bona fide property of German citizens or institutions, would be shipped as rapidly as possible to the United States for care and safe keeping, for which adequate facilities do not exist in Germany.

I very much hope that you will be willing to reconsider this suggestion. It seems to me open to a number of important objections. In particular—

(1) The removal of German art treasures to an allied country in this way would be likely to arouse quite unnecessary ill feeling among Germans and make the task of the Controlling Authorities more difficult.

(2) The allied countries might also feel resentful, since, although there is no agreed allied policy on the matter, they are counting on obtaining some of these art objects as replacement in kind for some of their own looted art treasures which cannot be found.

(3) The transport of these art objects overseas and their subsequent return would seriously endanger them and might result in the deterioration of many.

I note that you say there are no adequate facilities in Germany for their safe-keeping. I am bound to say, however, that this does not accord with my information and I suggest that the matter should be

⁴⁵ In telegram 532, September 15, 1945, 6 p. m., from Berlin, Mr. Murphy notified the Secretary of State that the United States Group Control Council planned to make an announcement concerning the removal of art to the United States on September 17. The announcement would employ the wording transmitted by the Department with the additional paragraph: "The return of readily identifiable art objects to the liberated countries is already underway." (800.515/9-1545)

⁴⁶ For the press release from the White House, dated September 26, concerning the transfer, see Department of State *Bulletin*, September 30, 1945, p. 499.

⁴⁷ See footnote 38, p. 946.

very carefully investigated before any action of the kind you mention is taken. Indeed I should have thought that this was a matter of such importance that it ought to be the subject of agreement in the Control Council before the policy is put into effect.

Yours sincerely,

ERNEST BEVIN

740.00119 EW/9-1145 : Telegram

*The Acting Secretary of State to the United States Political Adviser
for Germany (Murphy)*

WASHINGTON, September 18, 1945—7 p. m.

496. Urtel 499 Sept 11.⁴⁹ Dept appreciates your efforts re return to Belgium of Van Eyck triptych⁵⁰ and arrangements for initiating similar restitution to other liberated Allied countries. Arrangements approved for admission American zone of French, Belgian, Dutch and Russian fine art representatives and Dept supports your advice to MFA&A that Polish and Czech representatives be invited since program for cultural restitution should be expanded as possible to include all interested United Nations.

Also concur in policy of making former belligerents "wait in line" for return of removed art objects until program for liberated Allied countries sufficiently developed. Until time when return of cultural objects to these countries begun, restitution should be limited to objects having mainly religious significance or use, such as Holy Right Hand of St. Stephen which recently returned to Budapest. Dept believes no return of imperial regalia should now be made to Hungary or Austria, nor should bodies mentioned urtel be handed to Germans.

Devolution of responsibility for handling art objects on representatives of receiving governments and absolution AMG⁵¹ from any claim for deterioration or otherwise approved. Dept, however, does not concur in inclusion in receipts of proviso that any sum paid by Germans for returned art objects will be credited against reparation claim of receiving government. Resolution of this question can more appropriately be made coincident with examination and discussion of reparations claims to be submitted by invited governments.

ACHESON

⁴⁹ Not printed.

⁵⁰ The Ghent Altarpiece, "The Adoration of the Lamb", from the Church of St. Bavon, was discovered at the large Austrian underground repository, the Salzberghau at Alt-Aussee. For a description of the return of this item to Belgium, see *Roberts Commission Report*, pp. 140-141, 147-149.

⁵¹ Allied Military Government.

800.515/10-2945 : Circular airgram

The Secretary of State to Certain Diplomatic Missions ⁵²

WASHINGTON, October 29, 1945—11:55 a. m.

(1) For some time the Department has been concerned with the problem of tracing looted or Axis-owned art objects sent out of Axis or Axis-occupied territory. It is the policy of the Department to cooperate in the restitution of loot and the discovery of SAFEHAVEN funds, objects, or personnel.

(2) This Government is now considering with the French and British Governments a proposal ⁵³ to invite the Governments of Sweden, Switzerland, Spain, Portugal, and Turkey to issue a decree or customs regulation prohibiting the export of works of art, books, artistic or historic archives and other artistic or historic property above a declared minimum value, X, except under license.

(3) It is proposed that license applications valued between X and Y and concerning which any doubt exists in the minds of the customs authorities as to enemy taint or suspicion of loot should be referred to the United States, the United Kingdom and French missions.

(4) License applications for exports above a certain declared value Y should be referred automatically to the United States, the United Kingdom and French missions.

(5) The decree or regulation should require the exporter to file with the license application for exports of art objects over X value, a photograph of each object accompanied by a statement containing name of the artist, full description with date of production, name of owner, date of his acquisition, and if acquired on or after September 3, 1939, full details of acquisition and names and addresses of previous owners since September 3, 1939.

(6) Customs authorities would then refer cases falling under 3 or 4 above with photograph and accompanying statement to the United States, the United Kingdom and French missions for transmission to the Macmillan Committee, London, the Roberts Commission, Washington, and the Service de Récupération Artistique, Paris, respectively.

⁵² Sent to the Embassies in France, Great Britain, Portugal, Spain, and Turkey, and to the Legations in Sweden and Switzerland.

⁵³ Drawn up as a joint proposal by the American Embassy at London and the British Ministry of Economic Warfare, Foreign Office, the draft, designed to implement paragraph 12 of the United States "Draft Agreement on Principles Governing Restitution of Cultural Property," p. 943, was transmitted to the Secretary of State by the Ambassador in the United Kingdom (Winant) in telegram 9692, September 19, 1945, 7 p. m., not printed (800.515/9-1945). The proposal was approved by the Secretary of State in his telegram 9205, October 17, 1945, 6 p. m., to London (800.515/9-1945).

(7) The Department has suggested to London and Paris that the values X and Y be set at \$500.00 and \$5000.00 respectively.⁵⁴

(8) It is assumed that the liberated countries have or will introduce adequate export controls of works of art.

(9) It is also proposed that the governments of the liberated countries be approached with the suggestion that they supply lists of identifiable looted works of art to the governments of the European neutrals and Turkey, and to the three art commissions.

(10) The Department would welcome any comments or suggestions which you may care to make regarding the above proposals.

BYRNES

800.515/11-145

*The Secretary of State to Certain Diplomatic and Consular Officers*⁵⁵

WASHINGTON, November 1, 1945.

The Secretary of State refers to the Department's airmail Circular Instruction of December 6, 1944⁵⁶ to American Diplomatic Officers in the other American republics and of January 16, 1945⁵⁷ to American Diplomatic and Consular Officers except those in the other American republics both entitled "SAFEHAVEN Project", and to related communications.

The Department is concerned with the possibility that art objects may be utilized for financing a resurgence of Axis activity in foreign countries. There are continuing indications of movements of looted and Axis-owned objects to all parts of the world. The art may be smuggled in personal luggage or forwarded through regular and open channels with no indication of origin and true ownership. The Department anticipates that persons having in their possession enemy-owned and stolen art objects will attempt to conceal them for a number of years in the hope that public and official interest and alertness will subside with the lapse of time. It is also reasonable to assume that such persons will be eager to export them to the United States, preferably from a non-European port, thereby gaining the double advantage of profiting from the high prices offered in the American market and arousing less suspicion than would attach to a shipment from Europe.

⁵⁴ In telegram 9205, October 17, 1945, to London, repeated as telegram 4829, to Paris, not printed. The Ambassador in the United Kingdom informed the Department in telegram 11444, November 1, 1945, that while the British Government had made no official comment on the proposals, "their substantial agreement is indicated by their co-authorship of plan described in Embassy's 9692, September 19 and French views now awaited." However, the values suggested for X and Y were regarded as "much too low." A control system "would break down under the mass of referrals which would result." (800.515/11-145)

⁵⁵ Sent to 214 Diplomatic and Consular Officers.

⁵⁶ *Foreign Relations*, 1944, vol. II, p. 243.

⁵⁷ *Ante*, p. 852.

If the art market in its area is an actual or potential outlet for Axis-owned or looted art, the missions should report in detail information concerning the market and the leading personalities connected with it. Reports from the mission should also describe laws or regulations, if any, applicable to works of art other than the usual import and export declarations.

Information concerning particular instances of traffic in art objects, suspected or known to be enemy tainted, should be promptly reported. Reports on cases in the rumor stage or under investigation or recommended for intelligence investigation should be graded Secret or Confidential depending on the nature of the material.

When reports of suspected loot or SAFEHAVEN art objects come to the attention of officers in the field and there is ground for suspecting that an investigation of the matter would lead to the detection of important persons or plans connected with underground Axis activities, the mission should proceed with caution. Considerations of immediate sequestration, recovery, or restitution of the art object should be subordinated temporarily to the successful operation of intelligence activities designed to disclose to the appropriate agencies of this Government the important Axis persons and plans involved. Reports on such matters should be graded "Secret" during the continuation of such operations. Every effort should be made, however, to prevent the destruction of or injury to valuable or irreplaceable objects of cultural interest.

Reports on art works suspected of being or known to be Axis-owned or looted should give the most complete and accurate information obtainable, including but not limited to the following points. Fragments of information or rumors should be reported if more complete data are not available:

(1) Description of work:

- a) Title if any
- b) Name of artist or school
- c) Date or period of production
- d) Material or medium
- e) Size (Exact dimensions in centimeters)*
- f) Labels and marks
- g) Value
- h) Three photographs, if possible, of the more valuable paintings or sculpture
- i) Citation to published reproduction

(2) Present location

(3) Names and addresses of:

- a) Possessor, storage establishment or shipping agent
- b) Ostensible owner, handler, cloak, or dealer
- c) Real owner at date of report with date of his acquisition and terms or method of acquisition

*(Without frame, mat, or pedestal, etc.) [Footnote in the original.]

- (4) Provenance: List previous owners including names of collections and museums with dates of transfer and terms of sale.
- (5) Give such information as can be obtained regarding the movement or shipment of the art object from the time it left an Axis or Axis-occupied country until it reached its present location, including dates of shipment, names of countries and cities from and to which the object was shipped, names and addresses of the shippers, consignees, or other handlers.

As a matter of administrative convenience, the following definition of "art object" prescribed by the Bureau of Customs for use by collectors of customs under the Trading with the Enemy Act may be used for the purpose of SAFEHAVEN reports on looted or Axis-owned art:

"... the term 'art object' shall include any of the following, if there is reasonable cause to believe that the article or lot of articles included in one importation, export shipment, or sale lot (i) is worth \$5,000 or more, or (ii) is of artistic, historic, or scholarly interest irrespective of monetary value:

- (a) paintings in oil, mineral, water, or other colors, tempera, pastels, drawings and sketches in pen, ink, pencil, or water colors, engravings, woodcuts, prints, lithographs, miniatures;
- (b) statuary, sculptures;
- (c) chinaware, glassware, pottery, porcelain;
- (d) rugs, tapestries, laces, and other textiles;
- (e) jewelry, metalwork;
- (f) books, manuscripts, archival materials and records;
- (g) furniture;
- (h) curios

A background report on "Looted Art in Occupied Territories, Neutral Countries and Latin-America" has been completed by the Foreign Economic Administration and is enclosed for the mission's information.⁵⁸ The picture of the situation set forth in this report is being continually modified by reports received from the field. It is the intention of the Department to keep the missions informed of current developments in connection with this problem affecting the respective areas.

⁵⁸ Not printed. This report of 34 pages gives information on the outstanding collections which were looted by German agents or buyers, the *Einsatzstab* (Task Force) Rosenberg which specialized in confiscating and removing art assembled by Jewish collectors, and official acts of the Reich Government, such as the seizure of the Dirck Bouts Altarpiece from Louvain and the Van Eyck "Adoration of the Lamb" awarded to Belgium by the Reparation clauses of the Treaty of Versailles (see *Foreign Relations*, The Paris Peace Conference, 1919, vol. XIII, p. 525). Lists of suspected agents in European countries as well as German nationals inside and outside the Reich who were suspected of participating in these art activities are included. (800.515/11-145)

862.403/9-1745

The Secretary of State to the British Secretary of State for Foreign Affairs (Bevin)

WASHINGTON, November 27, 1945.

DEAR MR. BEVIN: I regret that some delay has occurred in sending you a definite reply to your letter of September 17, 1945 on the contemplated transfer of German works of art from the United States zone to the United States. The reason for this delay was the result of my desire to meet your wishes in this matter, which involved discussions with a number of officials.

The situation is now as follows: There will not be any large movement of German art treasures to the United States; the bulk of such objects will remain in Germany. However, it has not been possible for our military authorities to find adequate storage facilities for all these art treasures where they could be properly cared for and would not deteriorate. Consequently, we have decided to bring to this country, as a temporary measure, approximately one carload, and arrangements have been made to that end. This action is strongly recommended by our experts in the field who are convinced that the selection they have made cannot be properly cared for in Germany during this winter. We have made arrangements to ship these art treasures under expert supervision.

In these circumstances, I hope you will agree that there is no serious objection to the trustee arrangements which we have made in this matter.

Sincerely yours,

JAMES F. BYRNES

740.00119 Control (Germany)/12-2845

*Memorandum for the Coordinating Committee, Allied Control Authority*⁵⁹

CORC/P(45)185

[BERLIN,] 6 December, 1945.

(DRDR/P(45)14 Revise)

INTERIM RESTITUTION DELIVERIES
(Cultural Objects)

1. Pending settlement of the outstanding problems of restitution it is proposed that interim measures shall be put into force forthwith

⁵⁹ This paper was sent to the Department with despatch 1589, December 28, from Berlin (not printed). The memorandum had been accepted by the Reparation, Deliveries and Restitution Directorate, where it originated, and submitted to the twenty-sixth meeting of the Coordinating Committee on December 12, where it was also approved with the changes indicated. A brief report on the approval of this document is contained in paragraph 3 of telegram 1252, December 13, 2 p. m., from Berlin, vol. III, p. 1462.

for the return of Works of Art and other Cultural Objects taken by the Germans from territories now liberated.

2. It is proposed that this interim measure shall be applied to identifiable Cultural Objects which have been the subject of an act of dispossession by the enemy and which were located in a liberated territory and removed by the Germans subsequent to the date of the German occupation of that territory. As a first step restitution will be confined to cultural objects whose identification is easy and whose ownership is well known. As soon as adequate machinery for restitution has been developed and transport facilities have improved the scheme will be broadened correspondingly.

3. For the purposes of this paper the term 'Cultural Objects' is defined as all movable goods of importance or value either religious, artistic, documentary, scholarly or historic, the disappearance of which constitutes a loss to the cultural heritage of the country concerned. This definition includes as well as recognized Works of Art, such objects as rare musical instruments, books and manuscripts, scientific documents of an historic or cultural nature, and all objects usually found in museums, collections, libraries and historic archives.

4. The claimant countries will be asked to forward to each Allied Headquarters in card form, a description of the looted Cultural Objects believed to be situated in his Zone, giving all possible information which will assist establishing the identity of the object and the fact that it originated from the claimant country. (See Inclosure No. 2⁶⁰)

5. Each Headquarters will maintain a record of the looted Cultural Objects that have been reported by its staff or declared by Germans to be located in that Zone on prescribed property inventory cards. Where objects included in the lists received from claimant countries have not yet been traced the Headquarters will cause inquiries to be made where circumstances permit. (See Inclosure No. 1⁶⁰)

6. As and when information concerning the reputed discovery of looted Cultural Objects comes to light it will be communicated to the Government concerned.

7. In the case of each object to be transferred to an Allied Government, the Headquarters will appoint two experts to act as adjudicators and will invite the Government concerned to send one expert representative of its own. These three experts will form a panel which shall decide—

(a) That the identification of the object claimed has been established.

(b) That the object was removed from the claimant country by the Germans.

⁶⁰ Not printed.

- (c) Whether or not the condition of the object is such as to make its restitution satisfactory to the claimant country.

8. The findings and recommendations of the panel of experts will be reported to the Headquarters which, where return of the object is recommended, will authorize its return to the claimant country. Each Headquarters will submit to the R.D. & R. Directorate of the Control Council monthly reports of restitution completed in its Zone during the previous month.

9. To facilitate arrangements claimant countries will be asked, when necessary,⁶¹ to establish a liaison officer at an appropriate office of the Zone Headquarters. Liaison Officers will be required to act as link between claimant countries and the Headquarters staff on all matters in connection with claims for restitution of Cultural Objects including the visits of experts.

10. Visiting experts will come to Germany as representatives of the claimant Governments and not as representatives of firms or individuals of such countries. An object, even though private property, will be restored to the representative of the claimant Government acting on behalf of the individual concerned and not to that individual.

11. The claimant country, through its Liaison Officers, will make the necessary arrangements for packing, loading and transporting the property to be removed through the Military Government Authorities. Where practical difficulties exist the Headquarters may assist with transport and packing. Costs of transportation within Germany and of labour and materials necessary for packing will be borne by Germany. The question of responsibilities for loss or damage in packing and transportation has still to be decided but the Occupying Power will not accept any liability in this connection.⁶²

12. The properly authorized representative of the country concerned will, at the time of transfer, give an official receipt for the object in the form hereto attached. (Inclosure No. 3 ⁶³)

13. The Headquarters will maintain proper statistics in connection with objects identified and returned.

⁶¹ The Coordinating Committee approved a proposal by the Soviet member, Army General Vassily Danilovich Sokolovsky, that at this point there be inserted the words: "and with permission of the Zone Commander". (740.00119 Control (Germany)/12-2845)

⁶² The Coordinating Committee approved the proposal of the British member, Lt. Gen. Sir Brian Robertson, that the last two sentences of this paragraph be stricken and the following substituted: "Relevant transportation expenses within the present German frontiers and any repairs necessary for proper transportation, including the necessary manpower, material and organization, are to be borne by Germany and are included in restitutions. Expenses outside Germany are borne by the recipient country." (740.00119 Control (Germany)/12-2845)

⁶³ Not printed.

PARTICIPATION BY THE UNITED STATES IN THE WORK OF THE UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION (UNRRA)¹

840.50 UNRRA/1-1645

Memorandum by the Chief of the Division of Eastern European Affairs (Durbrow) to the Adviser, War Areas Economic Division (Gilpatric)

[WASHINGTON,] January 16, 1945.

MR. GILPATRIC: While we agree that we should not interfere with UNRRA's drafting,² as it has in the past, its own instructions, we should at least in an informal way as members of UNRRA try to avoid, by talking to our representatives on UNRRA, that organization from taking steps which would cause political complications or go contrary to the announced policy of the United States Government.

In this particular case, the Polish Government in London³ is the Polish organization represented on UNRRA and not the Soviet-sponsored Lublin Committee.⁴

It would seem to be advisable to follow somewhat the British line in this matter and indicate to UNRRA that we do not feel that it would be politically advisable for it to enter into a formal detailed agreement here in Washington or in London with the Lublin Government.⁵ There is no question but that the UNRRA delegation will have to work with and cooperate with the Lublin Government on the spot and the Polish Government-in-exile has given its consent to this procedure as the only practical way to get relief supplies to Poland under neutral or United Nations supervision. We should, consequently, indicate to UNRRA that there would be no objection to the head of the UNRRA delegation making any kind of an agreement he wants to on the spot but not here before he leaves.

¹ Continued from *Foreign Relations*, 1944, vol. II, pp. 331-354. References to related documentation on UNRRA are also contained in the indexes to *Foreign Relations*, The Conferences at Malta and Yalta, 1945, and *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945.

² Reference here is to a statement to this effect made in a memorandum by Mr. Gilpatric to Mr. Durbrow, January 8, 1945 (840.50 UNRRA/1-1645).

³ Polish Government in Exile. On the general question of recognition of a Polish Provisional Government of National Unity, see vol. V, pp. 110 ff.; also *Conference of Berlin (Potsdam)*, vol. I, pp. 714-789, and vol. II, pp. 1104-1135; and *Conferences at Malta and Yalta*, Index, p. 1011.

⁴ Provisional Government of the Polish Republic.

⁵ This policy had been outlined in a telegram, of December 9, 1944, from the British Foreign Office to the British Ambassador in Washington (840.50-UNRRA/1-1645).

Incidentally, it may be of interest, if you did not see it, that last week there was published in the *Chicago Daily News* a Moscow dispatch indicating that the reason UNRRA had not been able to send supplies to Poland was due to the opposition of the Polish Government-in-exile and particularly the Polish Ambassador here;⁶ an inspired story about as far from the truth as we could find. It might be followed up later in order to give the impression that the USSR is all set but that the London Poles and ourselves won't act while as you know the only holdup is Soviet permission for visas and shipping procedures.⁷

ELBRIDGE DUSBROW

840.50 UNRRA/1-1945

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] January 19, 1945.

This meeting⁸ was called at the request of Mr. Klentsov, the Soviet representative, to discuss relations between UNRRA and neutral countries. It grew out of a memorandum presented by Sir Frederick Leith-Ross to the Soviet Deputy Director General in London,⁹ the gist of which was that UNRRA proposed to enter into discussions with authorities in Switzerland and Sweden and possibly also Spain and Portugal in order to find out what, if any, public or private plans for relief were under way in those countries so that UNRRA might know about such plans and, if possible, orient them in the most helpful direction. As preparation for the meeting, the Director General¹⁰ circulated a long memorandum on the possible uses of neutrals in relief. This related chiefly to the neutrals as a source of supply and the neutrals as having programs of their own which could only be carried out in a liberated area with the consent of UNRRA.

⁶ Jan Ciechanowski.

⁷ Soviet visas for the UNRRA delegation were not granted until July 6, 1945, by which time the separate factions had united to form a Polish Provisional Government of National Unity. UNRRA signed an agreement with this Polish government on September 14, 1945; see George Woodbridge, *UNRRA: The History of the United Nations Relief and Rehabilitation Administration*, 3 vols. (New York, Columbia University Press, 1950), vol. II, pp. 204-205, and vol. III, pp. 318-324.

⁸ Meeting of the Central Committee of UNRRA, held on January 18, 1945, at 3:30 p. m.

⁹ Memorandum not printed; it was transmitted by Sir Frederick Leith-Ross, Deputy Director General of UNRRA, to Ivan A. Iliuschenko, Soviet Representative on the Committee of the Council for Europe, under a covering note dated December 15, 1944 (840.50 UNRRA/1-1545).

¹⁰ Herbert H. Lehman.

The meeting was opened by Mr. Klentsov whose remarks may be summarized as follows:

UNRRA's relations with the neutrals should not be governed by general rules, but a special policy should be adopted in the case of each country. The policy advocated by Mr. Klentsov is stated below:

Switzerland: The principles of the Swiss Relief Organization are contrary to those of UNRRA. This is shown by an alleged statement of Mr. Wetter, the head of the Swiss Relief Organization, who is reported to have said that the Swiss would only give relief to Greece among the Balkan countries because Greece only appealed to the sympathies of the Swiss people. Furthermore, statements had emanated from certain Swiss authorities which have attempted to discredit Yugoslavia. These statements are examples of the reactionary and pro-fascist views of the Swiss ruling classes. Furthermore, if raw materials were given to Switzerland for the purpose of manufacturing relief goods, it is probable that Germany would profit. Mr. Klentsov is against any relations between UNRRA and Switzerland.

Mr. Klentsov points out that UNRRA has employed a Swiss citizen, Mr. Habicht, as Assistant Diplomatic Adviser. Mr. Klentsov objects to the employment by UNRRA of any national of a non-member country. He is against sending any UNRRA mission whatever to Switzerland.

Spain: Mr. Klentsov opposes any purchases by UNRRA in Spain or other dealings with Spain because trade with fascist Spain would help Franco.¹¹

Portugal: Here again, the same observations apply as in the case of Spain and Switzerland because Portugal is a pro-fascist nation.

Sweden: Mr. Klentsov inquired whether any relations with Sweden on the part of UNRRA would interfere with the War Trade Agreements and the general blockade arrangements in respect to Sweden. He was assured that they would not and after some discussion expressed himself as satisfied in regard to UNRRA relations with Sweden.

Governor Lehman¹² then stated that there were no general rules or agreements contemplated with regard to neutral countries and that he proposed to do nothing in any respect contrary to the UNRRA Agreement or to the Resolutions of the Council. In fact, he had been asked when he was in London whether UNRRA would undertake relief work in Rumania and Bulgaria; to which he replied in the negative except in respect to the work required to be done regarding displaced persons in accordance with Resolution 57.¹³

So far as War Trade Agreements and the blockade arrangements are concerned, the Governor stated that he would not even raise questions in that field. He said that Mr. Habicht was a Swiss citizen who had lived in the United States for a long time and had been a member

¹¹ Gen. Francisco Franco, Spanish Chief of State.

¹² Mr. Lehman had been Governor of New York, 1933-1942.

¹³ For text, see Woodbridge, *UNRRA*, vol. III, p. 135.

of the secretariat of the League of Nations. He said that he assumed that Mr. Klentsov had nothing against Mr. Habicht personally and that he knew nothing about Mr. Habicht personally. The question was one of employing neutral citizens. On this the Governor read an administrative order to his staff directing that wherever possible persons employed should be nationals of member countries and in no case should be nationals of enemy or ex-enemy countries. Neutrals might be employed when no other qualified person was available and after careful investigation.

Mr. Klentsov then asked whether there were not enough United Nation citizens for UNRRA's staff; to which the Governor replied in the affirmative except in special cases, such as nurses, doctors, specialists, and in certain localities in the world where competent allied citizens might not be present.

Mr. Klentsov then asked Mr. Ben Smith¹⁴ and me whether we had ever been invited to recommend anyone for the position held by Mr. Habicht and whether, if we had been asked, we could have recommended someone. We both replied that we had not been asked and that if we had been we should have done our best to comply with the request but could not tell at the moment whether we would have been able to produce a suitable person.

Mr. Klentsov then asked me to express my views upon the matter under discussion. I stated the following:

(a) As to the broad question of having no relations with neutral countries, I did not know that this question was to be raised and could not comment on it without instructions from my Government which I did not have.

(b) So far as the purchase of supplies was concerned, from the papers submitted by the Director General it was planned that the Combined Boards¹⁵ have indicated a neutral country as the source of supply for UNRRA of certain commodities such as morphine, phosphates, etc. If UNRRA could not purchase these, then either some member government had to purchase them or UNRRA would have to go without the supplies. I pointed out that economic warfare considerations were not involved since everything was required to be done through the economic warfare authorities of the allied countries.

(c) I thought that as a practical matter some arrangements would have to be made with citizens of neutral countries, such as the Swiss-Swedish Commission in Greece.

(d) So far as the question of Mr. Habicht was concerned, I thought that that matter might well be left in the hands of the Director General and for him to take such action as he thought wise in the light of the discussion which had just taken place.

¹⁴ United Kingdom representative on the UNRRA Central Committee.

¹⁵ Combined Food Board, Combined Production and Resources Board, Combined Raw Materials Board, Combined Shipping Adjustment Board.

Mr. Ben Smith expressed general agreement with the views expressed by me, but was inclined to state in the absence of instructions that he believed that arrangements would prove to be necessary with the neutral countries. Mr. Liu Chieh, the Chinese Minister Counselor,¹⁶ expressed general agreement with me.

The Canadian Ambassador,¹⁷ who was present in his capacity as Chairman of the Supplies Committee, did not comment.

Mr. Klentsov then said that in his judgment this matter was settled by a resolution of the Council which contained a phrase stating that in carrying on its relief activities UNRRA should not impede in any way the prosecution of the war. Mr. Kentsov asked whether UNRRA could have any relations with the countries which he had mentioned without impeding the prosecution of the war. He then said that any member country which wished to could, of course, have dealings with Switzerland, Spain and Portugal, but he insisted that UNRRA which was an international organization must not have such relations and must not send missions to those countries.

I made a motion to adjourn so that the members might consider the views expressed. The Central Committee will meet again on Thursday, January 25 at 3:30 p. m.

After the meeting, Mr. Klentsov said that his instructions required him to make the same observations about Argentina and Turkey, but before doing so he wished to discuss the matter with me. We agreed to meet for this purpose.

DEAN ACHESON

840.50 UNRRA/1-1945

Memorandum by the Chief of the Division of Eastern European Affairs (Durbrow) to the Assistant Secretary of State (Acheson)

[WASHINGTON,] January 22, 1945.

MR. ACHESON: It is my feeling that we should not accept Mr. Klentsov's point of view in regard to UNRRA plans to obtain supplies in neutral countries.

UNRRA was set up as a purely humanitarian organization to assist various peoples who have suffered from German aggression and was established as an international organization in order to prevent as much as possible political considerations from creeping into these purely humanitarian activities. There is no question but that the position taken by Mr. Klentsov is motivated by purely political considerations.

¹⁶ Chinese representative on the UNRRA Central Committee.

¹⁷ Lester B. Pearson, who presented his letters of credence on January 22, 1945.

Moreover, with the supply and shipping situation being as it is and the need for relief increasing daily, UNRRA should be permitted to obtain supplies from any available sources without regard to any political considerations whatsoever.

It is my feeling that we should make this very clear to Mr. Klentsov in a most firm manner.

ELBRIDGE DUSBROW

840.50 UNRRA/1-3045

*Draft Minutes of the Eleventh Meeting of the Central Committee
of the UNRRA Council*¹⁸

[Extract]

WASHINGTON, January 25, 1945—3:30 p. m.

*III. Discussion of the relationships of UNRRA to non-member
countries*

Mr. Klentsov said that he had presented his recommendations at the previous meeting. He wished to urge on the Committee that it was contrary to the principles of UNRRA that it should have any dealings with Fascist and¹⁹ pro-Fascist governments, and that in his view any such relations could only discredit the organization. In explanation Mr. Klentsov said that by "relationships" he meant such activities as the dispatch of UNRRA missions to such countries, the discussion of joint relief programs with them, or the procurement of supplies from them.

Mr. Acheson said that he had had some further discussion with Mr. Klentsov on this subject. As he understood Mr. Klentsov's position, there were three points to which Mr. Klentsov strongly objected. He (Mr. Acheson) would like to make his position clear on these three points. As to procurement in neutral countries, Mr. Acheson said he believed that it would be advisable for the Administration to draw upon neutral sources for supply wherever possible since this would lessen the supply burden falling upon the United Nations. As to the employment of neutral nationals by the Administration, he regarded this to be a matter for the Director General's discretion. As to the dispatch of UNRRA missions to neutral countries, he had been

¹⁸ These draft minutes were transmitted to Mr. Acheson on January 30 by P. W. Kuo, Deputy Director General of UNRRA, in charge of the Secretariat. Members and officers of the Committee present were the Director General, Herbert H. Lehman, Liu Chieh for China, Vlas Andreevich Klentsov for the Soviet Union, Ben Smith for the United Kingdom, and Dean Acheson for the United States.

¹⁹ On February 13, 1945, Mr. Acheson was informed by Mr. Kuo that the Soviet delegate had suggested the deletion of the words "Fascist and" from this sentence. Mr. Acheson agreed to this deletion (840.40 UNRRA/2-1345).

unable at the previous meeting to express an opinion. He now wished to say that he could not join in any resolution which forbade the Director General to send such a mission. On this last point, however, he inquired whether the need for a mission was fully established and whether the purposes which the Administration had in view were of sufficient importance to justify any immediate action.

The Director General said that, as the members of the Committee knew, no mission to Spain or Portugal was contemplated. One official of the Administration had however been sent to Sweden, while an unofficial representative had been stationed in Switzerland for a considerable time. As the Swiss Government had announced its intention of spending a considerable sum for relief he thought it important that the Administration should know what policy the Swiss Government proposed to adopt. Mr. Klentsov's fears that the Administration might, as a consequence of discussions with the Swiss Government, become involved in relief operations for the benefit of the enemy were groundless. There could be no question of the Administration accepting any contribution from the Swiss Government which had any such conditions attached; but he could see no reason for refusing any assistance which the Swiss Government might be able to offer if it were given unconditionally.

Mr. Smith said he believed that the acceptance of such gifts was foreseen under the Council Resolutions.

Mr. Klentsov asked whether the other members of the Committee wished to express their views on the points he had raised.

Mr. Acheson said that he had already given his views but he would like to express his opinion as to the undesirability at this stage of stressing the political aspects of negotiations with a neutral country such as Switzerland. He wondered whether it was necessary to precipitate such a discussion by sending a mission at the present time.

Mr. Smith asked whether it would not be possible to have a prior discussion of any such approaches by the Central Committee before negotiations were opened up.

The Director General said that he found the position which Mr. Klentsov wanted the Administration to adopt to be a difficult one which would handicap the Administration. For example, in Greece it was desirable that the Administration should work in cooperation with the Swedish-Swiss Commission; by so doing the Administration would gain certain very considerable advantages in respect of shipping. He felt that in such instances the Administration should be free to settle the terms of such cooperation. He was disturbed at Mr. Klentsov's suggestion that UNRRA should have no relations with such authorities.

Mr. Liu said that in his opinion it would be unfortunate if the Administration had to consider the political implications of every step it took; there were certain political issues upon which it was essential to proceed cautiously, but the Administration's work would be seriously delayed if political considerations were introduced into every aspect of its operations.

There being no further discussion, the Director General said that he wished to make a concluding statement which he trusted would meet the views of the Committee.

"In order to avoid future misunderstanding on this subject, the Director General wishes to reiterate that he will, in all relationships with neutral countries, either in connection with the coordination of their relief programs with those of UNRRA or in connection with the procurement of furnishing of supplies which cannot advantageously be secured elsewhere, make every effort to do nothing that might in any way impede the conduct of the war. With this assurance, unless the Director General is otherwise directed by the Council or by the Central Committee under its emergency powers, he will feel justified in carrying on such conversations as in his opinion may be necessary, or in concluding such arrangements as may appear advisable with such governments to secure a coordination of relief efforts. He will, further, feel justified, in the absence of any contrary action by the Council or the Central Committee, in making purchases from neutral countries where such purchases, in his opinion, are necessary for the efficient and prompt carrying out of the duties which have been assigned to the Administration. Such purchases would be made through the national agencies of member countries."

The Director General repeated the assurances he had given previously that in no circumstances would he contemplate taking any action which might be contrary to the interests of the conduct of the war by the United Nations.²⁰

840.50 UNRRA/2-645

Memorandum by the Chief of the Division of Eastern European Affairs (Durbrow) to the Assistant Secretary of State (Acheson)

[WASHINGTON,] February 6, 1945.

MR. ACHESON: Mr. John Russell of the British Embassy ²¹ gave me a copy of the attached telegram received from London ²² expressing the British Government's apprehension regarding UNRRA's proposal to consign supplies to the Republic of Poland.²³

²⁰ This concluded the Central Committee's discussion of UNRRA's relations with neutral nations.

²¹ Second Secretary of Embassy.

²² Not printed.

²³ Provisional Government of the Polish Republic.

It will be noted that the British Government feels that, if UNRRA is of the opinion that the supplies should, for practical reasons, be consigned to the Republic of Poland, the Administration should make it absolutely clear in a public statement that this does not constitute recognition of that Government; that their dealings with that Government are on a purely *de facto* basis. The British Government apparently prefers to have the goods consigned to a department of the Polish administration or to an individual by name if that is possible.

The telegram suggests that the British Embassy take up this question with the Department, and if we agree, that the matter should then be taken up informally with UNRRA.

In regard to the suggestion in the last paragraph of the telegram that it would be advisable for UNRRA to adopt the same procedure used by the American Red Cross in Poland, the American Red Cross has informed me that they have consigned their goods to the Polish Red Cross in Lublin purposely in order to avoid any implication that they recognize the Lublin Government.

In view of the British Government's feelings and the complications which might result from any attempt to consign the goods to the Polish Government in Lublin, it would appear advisable that we concur with the British to have the goods consigned to UNRRA in Lublin.

I told Mr. Russell that it was my understanding that we had informally indicated that we felt it would be advisable to consign the goods to UNRRA in Lublin and as far as I know they had agreed to do this.

Since Mr. Russell would like to know what our basic thoughts are on this matter, please let me know what you feel I may pass on to him.²⁴

E[LBRIDGE] D[URBROW]

840.50 UNRRA/2-2745 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 27, 1945—6 p. m.

1492. ReDepts immediately preceding telegram.²⁵ There is considerable concern here that UNRRA is being put in a most difficult position as a result of the Resolution passed in London, which [it?]

²⁴ Neither a reply to this memorandum nor any communication to the British Embassy has been found in the Department files. Subsequent correspondence indicated that UNRRA messages regarding consignment of supplies to Poland were sent via Department of State facilities to the Embassy in Moscow for transmission to the Ambassador in the Soviet Union of the Provisional Government of the Polish Republic (Modzelewski).

²⁵ Not printed.

was impossible to revise substantially in the Central Committee meeting because of political and publicity repercussions.²⁶

2. Department assumes that recent action in London, now confirmed, by the Central Committee, will lead to public expectation throughout Northwest Europe of more substantial relief than either present supply or shipping availability can possibly permit. It is also anticipated that third governments will not hesitate to let UNRRA take the blame where possible for their own failure to import sufficient civilian supplies to meet urgent needs, especially those of displaced persons within their borders.

3. This Government will support UNRRA's request for supplemental supplies to meet the purposes of the Resolution but separate shipping programs cannot be justified. Whatever UNRRA does bring in to Northwest Europe will therefore have to come on military ships or vessels assigned to the national governments. We hope that some small boats may be found available in the U.K. for cross channel direct delivery. The only important and accessible quantities of supplies to meet immediate UNRRA requirements in this connection will be from the U.K. stockpile, and it is hoped that the U.K. will cooperate in this respect, especially since London originated this new responsibility for UNRRA.

4. You are authorized to assist in any way requested the working out of arrangements between UNRRA and the governments of Northwest Europe to implement the objectives of the Resolution, and you will be kept informed of progress of supply and military shipping authorities here in meeting these objectives.

London Embassy please inform Hornbeck.²⁷ Repeated to Paris and Brussels.

GREW

840.50 UNRRA/2-2845

Memorandum of Conversation, by the Deputy Director of the Office of European Affairs (Hickerson)

[Extract]

[WASHINGTON,] February 28, 1945.

Mr. Menshikov came in to see me yesterday afternoon by appointment made at his request. He is one of the Deputy Directors General of UNRRA and is in charge of the Bureau of Areas.

²⁶ Reference is to the "Resolution for Emergency Relief Programs", approved by the UNRRA Central Committee on February 26, 1945; for text, see Woodbridge, *UNRRA*, vol. III, p. 174. Reference to London is due to the fact that the resolution was initiated by the Subcommittee on Welfare for Europe and then passed on to the Central Committee by the Committee of the Council for Europe; see *ibid.*, vol I, p. 78, and vol. II, p. 344. For an account of the Northwest Europe Emergency Supply Program, see *ibid.*, pp. 342-347.

²⁷ Stanley K. Hornbeck, Ambassador to the Netherlands Government in Exile located in London.

Mr. Menshikov said that he was particularly interested in obtaining any possible information in regard to the situation in Poland. He explained that UNRRA has a ship loading with supplies which is to sail in a few days for Constanța, the supplies being destined to Poland. He said that UNRRA is having great difficulty in finding anyone in Poland with whom to communicate. He said that about two months ago they decided that as a practical matter they could not effectively communicate with the Polish Government in London in regard to the situation in Poland and that they had been endeavoring to communicate with the local authorities in Poland. He said that they had sent numerous messages but that they had received only one reply. This reply came from some official connected with the Lublin Committee and the reply urged that they expedite supplies via Constanța.

Mr. Menshikov said that in their efforts to communicate with the local authorities in Poland he had tried the Soviet Embassy in Washington as a channel of communication but that this had resulted in no improvement in the situation and UNRRA was still almost completely in the dark in regard to the relief situation in Poland. He inquired whether there was anything beyond the Yalta communiqué²⁸ which I could tell him about the Polish situation which might help them in their planning.

I told Mr. Menshikov that the State Department wishes to be of every possible assistance to UNRRA and that I could appreciate the difficulties of communication in respect to Poland. I told him, however, that there was very little that I could add to the Yalta Communiqué. I went on to say that he would have noted that Mr. Molotov²⁹ and the American³⁰ and the British Ambassadors³¹ were constituted as a commission to consult with the Poles from within and without Poland with a view to the reorganization of the Polish Government and the constitution of a Polish Provisional Government of National Unity. I said that it was hoped that this work would go forward rapidly and that the Provisional Government of National Unity could be constituted in a short time. I reminded Mr. Menshikov that the Soviet, United States and United Kingdom Governments will establish diplomatic relations with that government. I added that when the new Provisional Government of National Unity is established there will then be no question as to the Polish authorities with whom UNRRA should deal.³²

JOHN HICKERSON

²⁸ *Conferences at Malta and Yalta*, pp. 968, 973-974.

²⁹ Vyacheslav Mikhailovich Molotov, Soviet People's Commissar for Foreign Affairs.

³⁰ W. Averell Harriman, American Ambassador in the Soviet Union.

³¹ Sir Archibald Clark Kerr, British Ambassador in the Soviet Union.

³² For documentation regarding the establishment of a Provisional Government of National Unity in Poland, see vol. v, pp. 110 ff.

840.50 UNRRA/3-745

The Director General of the United Nations Relief and Rehabilitation Administration (Lehman) to the Assistant Secretary of State (Acheson)

WASHINGTON, March 7, 1945.

MY DEAR MR. SECRETARY: I enclose the text of a telegram which I have received from President Osmeña on behalf of the Philippine Government.³³

As the Philippine Government is a signatory member of the Administration, it may expect to receive assistance in relief and rehabilitation from the Administration, in accordance with the Resolutions of the UNRRA Council. In view of the recent decision of the Central Committee,³⁴ UNRRA is under obligation to provide emergency supplies and services in advance of any application which the Philippine Government may make to be adjudged unable to pay. For my part, I am of course anxious that any assistance which the Philippine Government may stand in urgent need of and which the Administration may be able to give should be rendered.

However, in view of your statements to the House Committee on Foreign Affairs when UNRRA's appropriation was being discussed (Hearings, Committee on Foreign Affairs on H.J. Res. 192, page 45), we have assumed that UNRRA's part in the relief and rehabilitation of the Philippines would be secondary to that played by the United States Government, and in view of the great responsibilities which the United States has acknowledged towards the Philippines, this would seem a natural arrangement. Nevertheless, UNRRA will be operating certain services in relation, for example, to the control of epidemics, the improvement of health conditions and the movement of displaced persons, which will be of concern to the Philippine Government, and services of this character will, of course, be made available to the Philippine Government if this is desired by them.

I should be grateful, therefore, if you would inform me of your Government's policy towards the problems of relief and rehabilitation in the Philippines.

Very sincerely yours,

HERBERT H. LEHMAN

³³ The main portion of the text of this telegram from President Sergio Osmeña is printed in Woodbridge, *UNRRA*, vol. II, p. 456.

³⁴ The Central Committee's resolution of February 26, 1945, permitted the Director General to approve the extension of limited emergency relief programs without consideration of the recipient nation's ability to pay; for text, see *ibid.*, vol. III, pp. 174-175; for comment on the resolution, see telegram 1492, February 27, 6 p. m., to London, *ante* p. 966.

840.50 UNRRA/3-745

The Assistant Secretary of State (Acheson) to the Director General of the United Nations Relief and Rehabilitation Administration (Lehman)

WASHINGTON, March 19, 1945.

MY DEAR GOVERNOR LEHMAN: I have your letter of March 7, enclosing a copy of a telegram sent to you by President Osmeña on behalf of the Philippines Government, and inquiring as to the United States policy of relief and rehabilitation in the Philippines.

In the immediate future, the United States Army will be responsible for all civilian imports into the Philippines, as is the case during the so-called military period in other liberated areas. I am, however, summarizing herewith the interim plans being sponsored by civilian agencies of this Government for relief to the Philippines, as I am sure that you will want to take them into consideration in reaching a decision as to the extent of the United Nations Relief and Rehabilitation Administration's participation in that effort.

Except for supplies procured and delivered by the military as part of what might be called a Pacific Plan "A", and a small barter program of trade goods involving about \$5,000,000, which will be used primarily to stimulate production of abaca—a critical war material, only one civilian supply program, presumably for delivery in the post-military period, has been contemplated by a United States agency which, in turn, has been authorized to sustain a loss if necessary, although procurement and distribution are to be implemented as a commercial transaction. This latter program was originated by the Department of the Interior and the Philippine Division of the Department, in consultation with representatives of the Commonwealth and the Foreign Economic Administration. The program was then adopted by the Commonwealth as an immediate and practical civilian supply target, and submitted for procurement to the Foreign Economic Administration through the Department of the Interior. The cost of this program is estimated at between \$40,000,000 and \$50,000,000, and I have asked that details of the supplies and quantities to be furnished should be made available to you promptly and in full.

If UNRRA does undertake relief and rehabilitation responsibilities for the Philippines, I would expect coordination of civilian supply arrangements between the Administration and this Government. Until such a decision is reached, I suggest that UNRRA consult informally with the United States agencies concerned as to changes that may occur in their present planning or objectives. Similarly, we would like to be kept informed of the progress in your discussions of this problem with the Philippine Government.

At the moment, and as a preliminary response from the United Nations Relief and Rehabilitation Administration to the Commonwealth Government, I should think you might want to offer the same sort of assistance to the Philippines as is being extended to the countries of Northwest Europe, in accordance with the Resolution passed by the Central Committee on February 26.³⁷

Sincerely yours,

DEAN ACHESON

840.50 UNRRA/3-2045

*The Assistant Secretary of State (Acheson) to Mr. Myron C. Taylor,
Personal Representative of President Roosevelt to Pope Pius XII*

WASHINGTON, March 20, 1945.

MY DEAR MR. TAYLOR: The Department has noted with particular interest recent cables and despatches in which you have reported on various aspects of the problem of coordinating the proposed UNRRA program of relief for Italy with that of American Relief for Italy.³⁸ There are several important considerations in this matter, especially those bearing on the relations of other governments with UNRRA. After discussing these matters with the Secretary, he has asked me to write to you in some detail because of my familiarity with the deliberations at Montreal,³⁹ and the subsequent negotiations which the Department has carried forward since with UNRRA and British officials relative to the proposed relief for Italy through UNRRA.

This Government was the original sponsor of UNRRA participation in alleviating Italian distress. We have been and still are impressed with the over-all Italian relief supply problem as a financial one for which, thus far, no satisfactory solution has been found. The Italian Government is fully aware of the difficulties involved, and, I think, appreciates that the Montreal agreement, covering limited UNRRA activities in Italy,⁴⁰ was, in the first instance, a method of adding to the Italian foreign exchange resources.

There is never a gain without some loss in multilateral arrangements, and one corollary of accepting UNRRA funds and assistance

³⁷ In a letter of March 26, 1945, the Director General informed Mr. Acheson that he had offered to President Osmeña to set aside a provisional fund of \$1,000,000 for relief supplies to meet the immediate emergency (840.50 UNRRA/3-2645).

³⁸ A voluntary agency organized by Myron C. Taylor, who became its chairman.

³⁹ The Second Session of the UNRRA Council was held at Montreal, September 15-27, 1944.

⁴⁰ Resolution 58; for text, see Woodbridge, *UNRRA*, vol. III, p. 135. For a report on the proposal introduced at the Montreal meeting by the United States on limited operations by UNRRA in Italy, see telegram 236, October 4, 1944, 7 p.m., to Rome, *Foreign Relations*, 1944, vol. II, p. 347.

for Italy is the concurrent obligation to accept UNRRA's method of operation. This latter is a compromise of many views and does not therefore reflect all of the principles which this Government has sought to protect through the President's War Relief Control Board.⁴¹ In addition, we have been subject to active pressure on the part of some of the UNRRA member governments to establish that organization as the coordinator of all voluntary relief activities under Article IV(2) of the UNRRA Agreement.⁴² I am enclosing for your information in this connection copies of an exchange of memoranda with the British Government⁴³ in which you will note our acceptance of the general principle that UNRRA must be given a large measure of responsibility for the coordination of private effort related to specific relief functions which it undertakes by agreement with governments of liberated areas.

American Relief for Italy has done outstanding work, thanks primarily to your efforts. The Department is very anxious that the autonomy of these operations remain undisturbed, not only because of their importance to the Italian people, but also because foreign governments should clearly understand the difference between voluntary relief activities of the American people and those which are undertaken by an international organization of which this Government is only one of forty-four members.

I am sure that the appropriate officials of the Italian Government are aware of the U.S. interest in relieving the destitute civilian population of Italy by any means possible. The fact that this must be done through two separate channels presents a problem of coordination of effort and is one which the Italian Government itself must help to solve in the first instance. I am therefore sending a copy of this letter to Ambassador Kirk⁴⁴ for his information.

I have also asked Mr. James A. Stillwell,⁴⁵ who will be in Rome in the near future as an officer of the Department thoroughly familiar with Italian supply procedures and developments, to put himself at your disposal for any detailed information on UNRRA activities here on which you may desire further enlightenment.⁴⁶

Sincerely yours,

DEAN ACHESON

⁴¹ Established on July 25, 1942. It was concerned with general administration of solicitation and collection of funds and contributions for relief purposes.

⁴² For text, see Woodbridge, *UNRRA*, vol. III, pp. 26-27.

⁴³ Reference here is to a letter from Roger Jackling, Second Secretary of the British Embassy, to Donald S. Gilpatric, Adviser, War Areas Economic Division, February 9, 1945, and Gilpatric's reply, March 15; neither printed.

⁴⁴ Alexander C. Kirk, American Ambassador in Italy.

⁴⁵ Adviser, War Areas Economic Division.

⁴⁶ In telegram 829, March 29, 1945, 5 p. m., from Rome, Stillwell reported to Acheson that he had had a conference with Mr. Taylor and several discussions with Spurgeon M. Keeny, Chief of the UNRRA Mission in Italy. Stillwell stated that a satisfactory working arrangement had been worked out among the various relief distribution agencies, including UNRRA, and that both Taylor and Keeny were "happy." (840.50 UNRRA/3-2945).

840.50 UNRRA/3-2445

Memorandum of Conversation, by the Acting Chief of the Division of Eastern European Affairs (Thompson)

[WASHINGTON,] March 24, 1945.

The Polish Ambassador said he presumed I had seen the announcement made by UNRRA that a Soviet citizen⁴⁷ had been made head of its mission to Poland and that the only Polish authority with which UNRRA would deal on Polish relief matters was the "Polish Provisional Government in Poland". The Ambassador inquired whether the State Department had been concerned in this matter.

I replied that UNRRA was an international organization and that the State Department had not been consulted.

The Ambassador said that the Soviet Union was even more of a receiving country for UNRRA relief than was Poland and that the Polish people would not understand how American relief can be distributed under Soviet auspices. He said he intended to see Mr. Lehman and might be obliged to issue a statement. He hoped, however, that the matter would be brought to the attention of the Secretary and that the Secretary would be able to make some statement on the matter, perhaps at his press conference in reply to a question.⁴⁸

LLEWELLYN E. THOMPSON

840.50 UNRRA/3-2945 : Telegram

Mr. Alexander C. Kirk, United States Political Adviser on the Staff of the Supreme Allied Commander, Mediterranean Theater (Alexander),⁴⁹ to the Secretary of State

CASERTA, March 29, 1945—7 p. m.

[Received 11:35 p. m.]

1228. Our No. 1206, March 28, 6 p. m.⁵⁰ We learned this afternoon that Governor Lehman telegraphed Hendrickson⁵¹ yesterday stating that UNRRA Central Committee had approved an approach to Hoxha⁵² and the negotiation of an agreement along the lines of

⁴⁷ Mikhail Alekseevich Menshikov.

⁴⁸ On the same date, Mr. Matthews sent a memorandum to the Acting Secretary of State (Grew), suggesting that, if he were asked to comment on UNRRA's appointment of Mr. Menshikov and its statement that it would deal on Polish relief matters with the Provisional Government in Poland, he might wish to reply that UNRRA was an international organization and did not consult with the Department on these subjects.

A check of records of the Secretary of State's press conferences has revealed no indication that this matter was brought up.

⁴⁹ Mr. Kirk was also American Ambassador in Italy and representative on the Advisory Council for Italy.

⁵⁰ Not printed.

⁵¹ Roy F. Hendrickson, Deputy Director General of UNRRA.

⁵² Enver Hoxha, Prime Minister of the Provisional Albanian Government and Commander in Chief, Albanian National Liberation Army.

that concluded with the Yugoslav Government.⁵³ This telegram directed the insertion of a clause as follows: "Whereas the democratic government of Albania (hereinafter referred to as the government) exercises administrative authority in Albania within the meaning of Resolution I⁵⁴ of the Council".

We and our British colleagues agree that the use of the expression "democratic government of Albania" is highly undesirable and we have arranged for AFHQ to telegraph urgently to the British Military Mission at Tirana asking Brigadier Hodgson⁵⁵ to explain our position to Hendrickson and to ask him to refrain from using that terminology if in any agreement that may be negotiated. We have stated that reference to the Albanian regime should follow lines of draft prepared for military relief agreement which is: "Colonel General Enver Hoxha, Commander-in-Chief, Albania National Army of Liberation, and Principal Albanian Military Authority." We have also emphasized that in no circumstances should the agreement imply recognition of Hoxha's regime as government of Albania.⁵⁶

In order that there may be no further hitch in this matter we hope that Department will explain to Governor Lehman that this action is in keeping with our policy and that of Great Britain with respect to question of non-recognition at least for time being of present ANLA⁵⁷ regime.

KIRK

840.50 UNRRA/3-2945 : Telegram

The Secretary of State to the United States Representative on the Advisory Council for Italy (Kirk)

WASHINGTON, March 31, 1945—6 p. m.

278. UNRRA has informed the Department that they have talked with Hendrickson by telephone and have authorized him to recast preamble of proposed Albanian agreement to meet points raised in your 1228, March 29. There should be therefore no difficulty in agreeing on changes with Hendrickson which will meet political and military points of view.⁵⁸

STETTINIUS

⁵³ For text of this agreement, dated March 24, 1945, see Woodbridge, *UNRRA*, vol. III, p. 339.

⁵⁴ *Ibid.*, p. 42.

⁵⁵ Brig. D. E. P. Hodgson, Commanding British Military Mission, Albania.

⁵⁶ For documentation concerning U.S. policy on recognition of a government in Albania, see vol. IV, pp. 1 ff.

⁵⁷ Albanian National Liberation Army.

⁵⁸ Telegram 1543, April 13, 1945, 9 a. m., from Caserta, stated that on April 11 Hoxha had signed an agreement between the "Supreme Allied Commander Mediterranean Theatre of Operations, and Commander in Chief Albanian National Army of Liberation", providing for Albania to receive temporary relief from Military Liaison (840.50 UNRRA/4-1345). Military Liaison (Albania) was a subordinate part of Allied Military Liaison, an Anglo-American military body responsible for the planning and administration of civilian relief in liberated territories.

840.50 UNRRA/4-745

The Polish Ambassador (Ciechanowski) to the Acting Chief of the Division of Eastern European Affairs (Thompson)

WASHINGTON, April 7, 1945.

DEAR MR. THOMPSON: With reference to our two conversations⁵⁹ on the subject of the decision taken by the Hon. Herbert H. Lehman, Director General of UNRRA, of interrupting contact and collaboration between the Polish Government and UNRRA,—I have, after consultation with my Government, today sent a letter to Governor Lehman, of which I send you a copy.

Hoping to see you soon, I am [etc.]

J. CIECHANOWSKI

[Enclosure]

The Polish Ambassador (Ciechanowski) to the Director of the United Nations Relief and Rehabilitation Administration (Lehman)

245/I/SE-t/88

[WASHINGTON,] April 7, 1945.

SIR: On March 23rd, the daily press published two press releases issued by the UNRRA, announcing: (1) the resignation of Mr. John P. Gregg as head of the mission of UNRRA experts designated in October, 1944 to carry on UNRRA relief in Poland, (2) the appointment by yourself of Mr. M. Menshikov, a Deputy Director of UNRRA, to head a mission designated to go to Poland for the purpose of negotiating an agreement for relief and rehabilitation in that country with the local Soviet sponsored authority, acting there at present.

These UNRRA press releases also contained the information that all matters relating to relief for Poland would henceforth be exclusively discussed and settled by UNRRA with representatives of the so-called provisional government at present acting in Poland and that UNRRA officials would no longer maintain any contact with the Polish Government.

On March 26th I called on you personally to ask you kindly to explain your decisions about which the Polish Government had not been directly informed. In our conversation you confirmed the above press statements. You explained that you had taken the decision to discontinue contact with the representatives of the Polish Government in all matters relating to Polish relief for "practical reasons" and that, for the same reasons you thought fit henceforth to deal in all matters of Polish relief exclusively with the so-called "provisional government in Poland."

⁵⁹ The first conversation took place on March 24; see memorandum on p. 973. The second conversation was held on March 31; memorandum of this conversation not printed.

I beg to confirm what I then told you, that I consider this decision as an unilateral action, devoid of legal foundation, and, as such, one which the Polish Government cannot agree to take into consideration. Moreover, this decision appears to me to be harmful, inasmuch as it introduces an element of political expediency contrary to the spirit of UNRRA and entirely unrelated to the nature of relief work for which it was organized.

I take this opportunity of reminding you, Mr. Director General, that, from the outset, the Polish Government gave you every proof that it was solely concerned in cooperating with you in order to assure the speediest and most effective functioning of UNRRA relief in Poland. The Polish Government actively and effectively collaborated in every way to assist you in all the phases of relief planning and urged you repeatedly to speed the dispatch of a mission and of food and other supplies to Poland. The Polish Government made it perfectly clear in numerous conversations and in writing, that it raised no objections to any contact and coordination of the UNRRA mission in the course of its work in Poland with any local authorities and organizations within the limits prescribed by Resolutions of the Council of UNRRA.

I am compelled to remind you that the Polish Government is one of the Founder-Member-Governments of UNRRA and, as such, on the basis of Art. 2 of the Agreement signed in Washington on November 9th, 1943,⁶⁰ it is entitled to all the rights enjoyed by Member-Governments and cannot admit that the Executive Authority of UNRRA should sever relations with its representatives by unilateral decision of the Director General, whose statutory functions do not entitle him to take such a decision. In accordance with Article III of the Agreement, even the Central Committee of UNRRA, —one of its highest authorities—“shall invite the participation of the Representative of any Member-Government at those of its meetings at which action of special interest to such Government is discussed.” No subject can more closely concern the Polish Government than the problem of relief for Poland in all its aspects, and consequently, no decision of the Director General can deprive the Polish Government of its right to maintain contact and to collaborate in these matters with the Executive Authorities of UNRRA. Nor can any circumstances be invoked which could authorize the Director General or any other Officials of UNRRA to refuse to maintain such contact, allegedly “for practical reasons”.

⁶⁰ Department of State Executive Agreement Series No. 352, or 57 Stat. (pt. 2), 1164; for related documentation, see *Foreign Relations*, 1943, vol. I, pp. 851 ff., and pp. 1014 ff.

Consequently, I am compelled to express the opinion that the decision taken by you exceeds the limits of your competence under UNRRA Statutes.

The Polish Government reserves all its rights, as a Member Government of UNRRA, in relation to the unilateral decision taken by you without previous consultation with the Executive Committee and without consulting the Polish Government, directly interested.

I am [etc.]

J. CIECHANOWSKI

840.50 UNRRA/5-1645

Memorandum by the Acting Secretary of State to President Truman

[WASHINGTON,] May 16, 1945.

A decision must be made on the important and delicate question of which Poles (London or Warsaw) should be invited to the next UNRRA Council Meeting scheduled to start in London on July 16. Invitations to the meeting must be sent out sixty days ahead of the scheduled date.

The London Poles are charter members of UNRRA and are now taking part in its committee meetings. On the other hand, if UNRRA supplies are to be sent to Poland, they will be delivered under the supervision of Warsaw Poles.

The following alternatives present themselves:

1. Invite the Warsaw Poles.

This would be counter to the position taken by us at Yalta and San Francisco.⁶¹

2. Apply the San Francisco formula of inviting no Poles.

In view of the attitude assumed by the Soviet Government regarding the Yalta-Polish decision and the arrest of the sixteen underground leaders,⁶² to refuse to invite the London Poles to a meeting of an organization of which they are members would constitute a more severe blow to that Government than not inviting them to San Francisco. By excluding the London Poles, domestic repercussions might ensue in the United States and Soviet propaganda would probably make capital of this action as proof that the West had completely washed its hands of the London Poles. On the other hand, having set the precedent at San Francisco of not inviting any Poles until a new government is formed, we would be on much safer grounds. Moreover, this formula would avoid the risk of precipitating a serious breach with the Soviet Union on questions involving a purely humanitarian organization, when the issues are much more

⁶¹ Reference is to the United Nations Conference on International Organization, held at San Francisco, April 25-June 26, 1945; for documentation, see vol. I, pp. 1 ff.

⁶² For related documentation, see vol. V, pp. 361 ff., *passim*.

fundamental and should be faced and dealt with on a purely political plane.

3. Invite the London Poles.

This is the legal solution since they are members of the organization and have a legal right to attend. On the other hand, if we adopt this solution we must face the possibility that the Soviet Union might withdraw from UNRRA, together with Czechoslovakia and Yugoslavia, which would have very far-reaching repercussions. It could be argued that the London Poles be invited as the legal members of the organization but that they would be replaced as soon as a new government of national unity is established.

While we are definitely of the opinion that we should adopt the second solution, the British Government has indicated that it feels that the London Poles should be invited on legal grounds.⁶³

The question has been discussed with Governor Lehman who is inclined to handle the matter in the following manner:

1. If the United States Government desires to apply the San Francisco formula while the British Government still desires to invite the London Poles, the Governor will accept responsibility and apply the San Francisco formula without calling the Central Committee of UNRRA (composed of U.S., U.K., U.S.S.R., and China) and thus put the question up to the Council to decide after it convenes in London.

2. If the American and British Governments should decide that they would wish to have the London Poles invited the Governor feels that such action in all probability would bring about a serious rift in UNRRA if not its complete dissolution. In this event his present inclination is not to accept the responsibility for so serious a step but to call the Central Committee and let them decide the question. This would undoubtedly precipitate the whole question with the Soviet representatives and might even cause the Soviet Union to refuse to attend the Council meeting. If the British and United States Governments made an issue of this matter it might cause the Governor to resign rather than to take any responsibility for breaking up the organization he heads.

I would appreciate having your decision in this matter.⁶⁴

JOSEPH C. GREW

⁶³ The British position was made clear in a letter of May 22, 1945, from the Counselor of the British Embassy (Marris) to the Director General of UNRRA (Lehman).

⁶⁴ President Truman answered on May 19 as follows: "Replying to your memorandum of May 16, 1945, in regard to inviting Poles to the next U.N.R.R.A. Council meeting scheduled to start in London on July 16, I am in agreement with your expressed opinion that we should adopt the second solution and not issue an invitation to any Poles." (840.50 UNRRA/5-1945)

840.50 UNRRA Personnel/5-1845

The United States Representative, Committee of the UNRRA Council for the Far East (Acheson), to the United Kingdom Representative, Committee of the UNRRA Council for the Far East (Butler)

WASHINGTON, May 18, 1945.

MY DEAR SIR PAUL: At the Lapstone meeting⁶⁵ of the Committee of the UNRRA Council for the Far East, Mr. Abbot Low Moffat⁶⁶ raised, on behalf of the United States Government, the question of extending the scope of UNRRA activities so as to include Korea, Formosa and Thailand. Because of his delayed arrival, it was impossible for several of the representatives to consult their governments on this subject prior to adjournment and he therefore did not introduce a resolution. But the representatives present personally were in favor of the proposal and it was agreed that the question should be raised at the next meeting of the Committee.

It is the view of this Government that it is highly desirable that the full scope of UNRRA activities in Asia should be determined as soon as possible, so that necessary planning may be undertaken by the Administration.

Korea is technically enemy territory, being part of the Japanese Empire. However, it was proclaimed by the Cairo Declaration of December 2 [1], 1943⁶⁷ that in due course after the war Korea should regain its independence. Its people, except for a relatively small number, are not Japanese, and victory over Japan will result in their liberation from Japanese domination.

Similarly, Formosa is technically enemy territory, but its restoration to China was also pledged in the Cairo Declaration. Of its six million inhabitants, less than three hundred thousand are Japanese. Furthermore, the Chinese plans for relief and rehabilitation already submitted to the Administration include relief and rehabilitation in Formosa.

Under Subdivision 3 of Part I of Resolution 1,⁶⁸ the Administration is precluded from operating in enemy areas without specific authorization of the Council.

Thailand is considered by this Government as a friendly country occupied by the enemy. We continue to recognize the Thai Minister in Washington, although we do not recognize the present government

⁶⁵ Meeting held February 15-20, 1945, at the Lapstone Hotel, Sydney, Australia

⁶⁶ Chief of the Division of Southwest Pacific Affairs.

⁶⁷ *Foreign Relations*, The Conferences at Cairo and Tehran, 1943, p. 44S.

⁶⁸ For text, see Woodbridge, *UNRRA*, vol. III, p. 43.

of Thailand.⁶⁹ On the other hand, a state of war exists between Thailand and the United Kingdom, Australia, New Zealand, the Union of South Africa and Czechoslovakia. We recognize that under these circumstances the Administration is also bound by the provisions of Subdivision 3 of Part I of Resolution 1 and may not operate in Thailand without specific authorization. There is mounting evidence of the desire of the Thai people to be liberated from the Japanese yoke and to aid the United Nations cause. Whether Thailand be regarded as a friendly country occupied by the Japanese or as an enemy satellite state, we believe that the UNRRA Administration should have the power to extend any needed relief to Thailand under the same conditions as apply to aid to other areas liberated from the enemy. In all probability, according to our information, medical supplies, which are not in short world supply, and clothing will be the only important items of relief required.

It is the view of this Government that it would be of great psychological value in the prosecution of the war against Japan if the United Nations declared that Korea, Formosa and Thailand, which are non-Japanese areas annexed to Japan or occupied by the Japanese, shall be considered as liberated areas for purposes of relief and rehabilitation by UNRRA. Furthermore, the actual relief of these areas following their liberation will be an essential factor in assuring stability and economic progress in eastern Asia.

As this is a matter of primary concern to the nations represented on the Far Eastern Committee of the Council, it is our view that a recommendation to the Council on the question of extending the scope of UNRRA activities in eastern Asia should originate in the Committee for the Far East.

Because of the differing relations which exist between Thailand and the several governments represented on the Committee, the language of the attached draft resolution has been neutrally worded so as not to prejudice the position of any government.

This draft resolution represents the view of this Government, and has been submitted to the UNRRA Secretariat for the agenda of the meeting of the Far Eastern Committee of the Council. This will presumably take place in London prior to the next meeting of the Council commencing July 16. I should appreciate immediately learn-

⁶⁹ The Minister of Thailand was Mom Rajawongse Seni Pramoj. For the attitude of the United States toward Thailand after its occupation by Japan in December 1941, see *Foreign Relations*, 1941, vol. v, pp. 387-390, 392-393, 396, and *ibid.*, 1942, vol. i, pp. 913 ff. For documentation on the attitude of the United States and the United Kingdom toward the post-war status of Siam, see *ibid.*, 1945, vol. vi, section on Siam.

ing through you the views of your Government with regard to this resolution so that we may achieve unanimity of action at the next meeting of the Committee.

I am sending identical letters to the other representatives on the Far Eastern Committee and copies to the alternates who were present at the Lapstone meeting and to the Administration.⁷⁰

Sincerely yours,

DEAN ACHESON

[Enclosure]

DRAFT RESOLUTION

WHEREAS for the effective carrying out of its duties in the Far East, it is important for the Administration to know in what areas it should be prepared to operate; and

WHEREAS it is desirable that the Administration should be prepared to operate in Korea, in Formosa and in Thailand, which are non-Japanese areas annexed to Japan before the war or occupied by the Japanese during the war; and

WHEREAS Korea and Formosa are still technically enemy areas, and the Administration, pursuant to Part I of Resolution 1, is precluded from operating therein without specific authorization by the Council; and

WHEREAS a state of war exists between Thailand and certain member governments and similar specific authorization is required to enable the Administration to operate in Thailand;

BE IT RESOLVED that the Committee of the Council for the Far East recommends to the Council adoption of the following resolution:

RESOLVED that Korea, Formosa and Thailand shall each, for the purpose of determining the scope of Administration activities with respect to such areas, be considered a liberated area within the meaning of Part I of Resolution 1, and the Administration is hereby authorized to operate in such areas upon the same terms and conditions as in other liberated areas.

⁷⁰ Identical letters were sent to the representatives of Australia, China, the French Republic, India, the Netherlands, New Zealand, and the Philippine Commonwealth. In a memorandum dated July 26, by the Chief of the Division of Southeast Asian Affairs (Moffat) to the Assistant Secretary of State (Clayton), it was stated that the United States, China, the Philippine Commonwealth, and France approved the resolution; Great Britain and New Zealand opposed inclusion of Thailand: no word has been received from Australia, India, or the Netherlands, but it was thought that they would support Britain (840.50-UNRRA/7-3045). French approval, however, did stipulate clearly that it would not involve any political commitment for France, which was still at war with Thailand (840.50 UNRRA/7-1245).

840.50 UNRRA/5-2345

The Counselor of the British Embassy (Marris) to the Assistant Secretary of State (Acheson)

RS 10AM/93/45

WASHINGTON, May 23, 1945.

MY DEAR DEAN: We have now had a reply from the Foreign Office about the Yugoslav displaced persons problem.⁷¹

I attach a copy of this telegram and I suggest, if this is agreeable to you, that you should let me know how we both ought next to proceed.

I fancy the Governor himself is away so, if this is so, perhaps we ought to talk to Hendrickson.

Yours sincerely,

DENNY MARRIS

[Annex]

TELEGRAM FROM THE BRITISH FOREIGN OFFICE TO THE BRITISH AMBASSADOR IN WASHINGTON (HALIFAX), MAY 22, 1945

Addressed to Washington telegram No. 5281, 22nd May, repeated to Caserta and Belgrade.

Comply

Your telegrams Nos. 3410 and 3411.

This raises a vital issue on principle. Many Poles and other East European displaced persons with whom UNRRA now has to deal in Germany will be unlikely for the present at any rate to have the "approval" of the Governments in power in their countries of origin; and if the principle were once admitted that a Government could exclude large categories of its nationals abroad from receiving relief on political grounds UNRRA would be unable to take care of very large numbers of people in Germany or elsewhere for whose relief no other provision exists.

2. In accordance with Resolution 2, paragraph 1,⁷² UNRRA must distribute relief "without discrimination because of race, creed or political belief". In accordance with Resolution 1 part 2 paragraph 2,⁷³ UNRRA has to undertake first to care for persons "found in any areas under the control of any of the United Nations who by reason of war have been displaced from their homes" and secondly "in agreement with appropriate Governments, Military Authorities or other agencies to secure their repatriation or return". Thus although the

⁷¹ UNRRA was exploring with the Department of State and the British Embassy possible solutions to the problem of displaced Yugoslavs (840.50 UNRRA/5-1945).

For documentation on the overall question of displaced persons and refugees, see pp. 1146 ff.; see also *Conference of Berlin (Potsdam)*, vol. I, Index, p. 1064, and vol. II, Index, p. 1611. For UNRRA's role in general displaced persons operations, see Woodbridge, *UNRRA*, vol. II, pp. 469 ff.

⁷² For text, see *ibid.*, vol. III, p. 46.

⁷³ *Ibid.*, p. 43.

consent of the appropriate Government is necessary for repatriation it is not necessary for care. We agree with Acheson that the words "in agreement with the country of which they are Nationals" in Resolution 57⁷⁴ apply not to the words "for the care of" but only to the words "repatriation and return". There is therefore in our opinion sufficient legal ground to rebut the Yugoslav contention.

3. It is a fundamental principle of UNRRA's work that there is to be no discrimination on grounds of race, religion or political belief; but if UNRRA is precluded from assisting large categories of displaced persons not in sympathy with the Governments which have since come into power in their countries of origin, discrimination on grounds of political belief will certainly be being applied and there will be a serious risk of UNRRA relief becoming simply a means of political pressure. This would be open to the strongest objection.

4. In any case it has always been contemplated that UNRRA should look after all displaced persons until their non-repatriability has been established and for a reasonable period thereafter. This surely presupposes, that UNRRA will be looking after people who may not (repeat not) be approved of by the Governments in power in their countries of origin at any rate for some considerable time.

5. In these circumstances we feel strongly that objections of Yugoslav Government should be disregarded and that UNRRA should assume responsibility for care of these Yugoslavs in Italy, Greece and elsewhere irrespective of their political colour.

6. We agree with Marris that appeal to Central Committee⁷⁵ would be valueless.

840.50 UNRRA/5-3045 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, May 30, 1945—5 p. m.

1178. ReDeptel 986 May 1.⁷⁶ Consideration is being given to possibility of our refusing to allocate relief and rehabilitation supplies particularly food to UNRRA for shipment to Czechoslovakia and Poland if indigenous supplies are being exported from those countries to Russia or are being consumed by Soviet military forces there. Although it is realized that accurate information is difficult to obtain please telegraph any available information on amounts of food or other essential supplies being removed to Russia or consumed by Soviet forces in Poland and Czechoslovakia. Also desire information

⁷⁴ Woodbridge, *UNRRA*, vol. III, p. 135.

⁷⁵ For information on the role of the Central Committee in UNRRA, see *ibid.*, vol. I, pp. 52-60.

⁷⁶ *Post*, p. 1089.

concerning shipment, if any, of relief supplies into those countries from areas under Russian control.

GREW

840.50 UNRRA/5-2345

The Assistant Secretary of State (Acheson) to the Counselor of the British Embassy (Marris)

WASHINGTON, June 7, 1945.

DEAR DENNY: Thank you for your letter of May 23, and the attached copy of the telegram from London supporting our view that UNRRA should assume responsibility for the care of Yugoslav displaced persons in Italy, despite the objections of the Yugoslav Government.

I now understand from UNRRA that they have communicated with Keeny in Italy, both by telephone and cable, advising him that the whole subject of treatment of United Nations displaced persons, under Resolution 57, will be referred to the Third Council Meeting for clarification, and, in the meantime, authorizing him to provide for the displaced Yugoslav nationals in Italy.

Keeny is therefore apparently authorized to proceed along the lines we have recommended, and to answer any complaint made by the Yugoslav representatives with the response that their views in the matter should be referred to the Council.

I think the position UNRRA has taken is a very satisfactory interim answer to a troublesome problem. Since the question is already included on the provisional agenda for the Council meeting, I should like to arrange, at an early date, for consultation between us as to the approach to be taken by the two governments when this question is raised at the London meeting. It might be useful to postpone such discussions, however, until we hear the Soviet comments on the provisional agenda, and particularly this item in the Central Committee.

Sincerely yours,

DEAN ACHESON

840.50 UNRRA Personnel/6-1145: Telegram

Mr. Alexander C. Kirk, United States Political Adviser on the Staff of the Supreme Allied Commander, Mediterranean Theater (Alexander), to the Secretary of State

CASERTA, June 11, 1945—11 p. m.
[Received 11:09 p. m.]

2580. Messrs Robertson (British) and Cohen (American) UNRRA representatives have just arrived at Caserta from Tirana where they conferred with General Hoxha with regard to conclusion of agreement

for transfer of relief from ML (Albania)⁷⁷ to UNRRA. Preliminary draft of agreement which was shown by mistake to Hoxha by Oakley Hill⁷⁸ now at Tirana referred to the Hoxha regime as the "Albanian Government". An impasse has now been reached as Hoxha refused to sign an agreement unless some reference is made to Govt of Albania. It has now been suggested by above mentioned UNRRA representatives that a way out might be to refer to Hoxha's regime in first part of agreement as "National Liberation Government of Albania" but that at the end of the agreement would be a pgh stating that the agreement could not be interpreted as indicating that Hoxha's Govt had been accorded recognition by any of the govts included in UNRRA.

We stated to these gentlemen and board agreed that it was undesirable to use the term "government" in the agreement and suggested that the title "present administration of Albania" might be used.

Will Dept please take up this matter with UNRRA as soon as possible and inform us of its views? Suggest Embassy in London be kept informed as Messrs. Robertson and Cohen are leaving for London tomorrow and will keep in touch with our Embassy for a decision in this matter.

We are in touch with Jacobs⁷⁹ and he hopes that some satisfactory formula may be found so that an agreement may be concluded. In the light of Hoxha's recent behavior and increasingly stringent measures which he is taking against both Hodgson and Jacobs to say nothing of the fact that he has just requested OSS to leave the country, we consider that we should remain firm and oblige Hoxha to accept our view in this matter.

Sent Dept, repeated London as 159.

KIRK

840.50 UNRRA/6-1845

Memorandum by the Chief of the Division of Eastern European Affairs (Durbrow) to the Assistant Secretary of State (Acheson)

[WASHINGTON,] June 21, 1945.

MR. ACHESON: The Polish Ambassador today handed me the attached note⁸⁰ containing the outline of the exchange of correspondence between the Polish Government in Exile and UNRRA relative

⁷⁷ For information on the role of ML (Albania), see footnote 58, p. 974.

⁷⁸ Dayrell R. Oakley-Hill, Chief of the UNRRA Mission to Albania.

⁷⁹ Joseph E. Jacobs, Foreign Service Officer in Albania; for further information on Mr. Jacobs, see telegram 308, April 7, 7 p. m., to Caserta, vol. iv, p. 18.

⁸⁰ Not printed.

to the question of the decision taken by Governor Lehman not to send a notification to the Polish Government about the forthcoming meeting of the UNRRA Council.

It will be observed that the note asks that the United States Government "draw the attention of the Director General of UNRRA that the non-notification of the Polish Government about the forthcoming session of the Council is contrary to the Rules of Procedure and that it should kindly request the Director General to carry out his duty of notification . . ."

The Ambassador orally stated in presenting the note that he had been instructed by his Government to remind the United States Government of the following points:

1. Poland as an original member of UNRRA has carried out all of its obligations, paid its dues and the Polish Government in Exile consented to have UNRRA deliver supplies to Poland by using such facilities as the Lublin Government might be able to make available to it.

2. Governor Lehman consulted the Polish Government in Exile in February, 1945 about the date and place of the forthcoming Council meeting and, although the Polish Government agreed to the suggestions made by Governor Lehman, a notification was not sent to the Polish Government about the meeting.

3. The representatives of the Polish Government have been and continue to be active in assisting UNRRA on the various committees and sub-committees of the organization.

4. In the opinion of the Polish Government in Exile, the fact that no notification was sent to it was due to pressure brought by the Soviet Government, which itself has not cooperated with UNRRA and is also a receiving country.

5. The Ambassador stated that his Government hoped to have an early reply from the American Government expressing their views on this subject.

I made no comment to the Ambassador other than to state that I would bring this matter to the attention of the appropriate officials of the Department.⁸²

ELBRIDGE DUSBROW

840.50 UNRRA Personnel/6-1145 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, June 23, 1945—6 p. m.

5089. While Dept would have preferred some alternative phraseology omitting term "government" with reference to destination of

⁸² At the Third Council Session, Poland was represented by a delegation from the newly constituted Polish Provisional Government of National Unity; see United Nations Relief and Rehabilitation Administration, *Journal, Third Session of the Council, London, England, August 7-25, 1945*, p. 46.

Hoxha regime in proposed UNRRA-Albanian relief agreement (Caserta's 2580 June 11, repeated to London as 159), it appreciates need of avoiding further delay in conclusion of agreement. Having in mind this consideration, and in view of agreement by FonOff⁸³ to formula suggested by UNRRA representatives Robertson and Cohen as well as fact that position of this Govt on the question of recognition is safeguarded by inclusion of saving clause, Dept assents to formula in question, which is understood to read as follows:

"Whereas the National Liberation Government (hereinafter referred to as the Government) exercises administrative authority in Albania within the meaning of Resolution One of the Council of the Administration and the Administration has accordingly entered into negotiations with the said Government on that account and entirely without prejudice to the political question of recognition by the member governments of the Administration . . .".

Dept has notified UNRRA officials here of willingness to accept the above passage. You may make available to UNRRA representatives now in London substance of foregoing message.

Sent to London; repeated to Ampolad Caserta and Amrep Tirana.⁸⁴

GREW

840.50 UNRRA/6-3045 : Telegram

The Chargé in Czechoslovakia (Klieforth) to the Secretary of State

PRAHA, June 30, 1945—5 p. m.

[Received July 1—11:35 p. m.]

47. Your 26, June 27.⁸⁵ 1. Soviet military lives indiscriminately and almost entirely off the land in Zecho. Except for small amounts brought originally into the country, it has replaced with much publicity and for obvious political purposes, a token amount of grain claimed to have been imported from Russia. However amounts of food and supplies removed to Russia have been negligible. Coincidental with the cession of Ruthenia to Russia,⁸⁶ all Soviet forces to be withdrawn from Prague by July 3 and Soviet garrisons substantially reduced throughout country. This withdrawal will have material effect on country's food situation. No authoritative estimate of any kind obtainable as to the large number of Russian troops in country therefore no estimate available of amounts of food used by Soviet military.

⁸³ British Foreign Office.

⁸⁴ Repeated to Caserta as 612, and to Tirana as 21.

⁸⁵ Not printed; the content of this message was virtually identical with that of telegram 1437, June 27, 8 p.m., to Moscow, substance of which is given in footnote 87, p. 988.

⁸⁶ For documentation on U.S. interest in the cession by Czechoslovakia of Sub-Carpathian Ruthenia to the Soviet Union on June 29, 1945, see vol. iv, pp. 509 ff.

2. No relief supplies being brought to Zecho from areas under Soviet control.

KLIEFORTH

840.50 UNRRA/6-3045 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, June 30, 1945—midnight.

[Received, July 1—8:30 a. m.]

2360. ReDeptel 1437, June 27, 8 p. m.⁸⁸ In view of lack of accurate information in Moscow concerning use of food or other essential supplies by Soviets in Poland and Czechoslovakia, reply to Dept's 1178, May 30, 5 p. m. was delayed pending discussion of subject with Poles who were expected to arrive shortly in Moscow.

Reports reaching Embassy from various outside observers who were in these areas during Red Army offensive agreed that Soviet troops in large measure lived off the country and carried only limited food supplies with their armies. Drain on local food reserves during this period was therefore probably heavy. When Soviet troops moved into Germany, size of Soviet forces in Poland was considerably reduced, but indications are that considerable garrison force still remains quartered principally in smaller towns and villages. High official of Warsaw Govt has informed me that Soviet forces in Poland no longer requisition local food supplies in large quantities and depend largely on supplies sent from Soviet Union. Other Polish sources not heretofore associated with Warsaw Govt report that Soviet forces in Poland are still drawing heavily on local food reserves particularly grain and cattle when available. Embassy has no data whatsoever on size of such requisitions and does not feel in a position to make an estimate.

No information is available here concerning requisitions of supplies in Czechoslovakia beyond reports that during offensive operations in that country as well Soviet forces were dependent largely on local food supplies.

In contrast to supplies utilized by Soviet forces in Poland considerable publicity has been given to relief shipments to Poland from Soviet Union. These were destined chiefly for relief of civilian population of Warsaw and consisted of substantial shipments of grain and smaller shipments of sugar, tea, soap and medical supplies. Gifts of 1000

⁸⁸ Not printed; it requested a report "regarding food or other essential supplies being taken by Soviets from Poland and Zecho or used by Soviet military forces there; also on shipments of relief supplies, if any, to those countries from areas under USSR control. Info even if incomplete needed earliest possible moment for discussions preceding UNRRA council meeting." (840.50-UNRRA/5-3045)

trucks have been made to cities of Warsaw and Lodz and Soviet cotton is being supplied to meet requirements of Lodz textile industry.

There have been no reports of shipments of food or relief supplies to Czechoslovakia from the Soviet Union.

I feel that the information available here regarding Russian use of food supplies in these countries is inadequate to permit a decision on withholding UNRRA's supplies and would recommend that a decision be postponed until our Missions at Warsaw and Prague have had an opportunity to investigate the situation and report.

HARRIMAN

840.50 UNRRA/7-445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 4, 1945.

[Received July 4—4:55 p. m.]

6733. Our tel. No. 6517, June 28 and airgram A-717, June 28.⁸⁹

1. At yesterday's meeting of CCE of UNRRA re discussion continued on Ribar's ⁹⁰ "resolution in relation to violation of fundamental principles in respect of providing supplies to different liberated countries." Commander Jackson ⁹¹ said full report on operations would be submitted to Council. He pointed out that rate of shipment of supplies depended on several factors (such as availability of different types of goods, shipping and foreign currency, date of liberation and port capacity) which varied from country to country and from time to time. He conveyed to Committee Lehman's personal assurance that supplies had been and would continue to be distributed equitably according to need. Lehman also requested that general conclusions should not be drawn from report on current operations and that discussion on general issue should be deferred until the Council meeting. Feonov ⁹² (supply) read part of a report by Washington Bureau of Supply giving scheduled percentage distribution of supplies for last 6 months of 1945.

⁸⁹ Neither printed. Telegram 6517 transmitted a report of the June 26 meeting of the Committee of the Council for Europe (CCE) at which the resolution under reference in this telegram was introduced; a copy of the text was quoted in airgram A-717. The resolution stated that shipments of supplies to Greece during May and those scheduled for June and July amounted to 70 percent of the total allocated for Czechoslovakia, Poland, Yugoslavia, Greece, Albania, and Italy, although Greece contained only approximately 10 percent of the population of these countries. The resolution cited four Council resolutions as being contravened including Resolution 7, paragraph 1 of which stipulated that no discrimination on political grounds be made in the distribution of relief supplies. (840.50 UNRRA/6-2845)

⁹⁰ Vladimir Rybar, Yugoslav Under Secretary of State for Foreign Affairs, and Delegate on the Committee of the Council for Europe.

⁹¹ Robert G. A. Jackson, Senior Deputy Director General of UNRRA.

⁹² Nicolai Ivanovich Feonov, Deputy Director General, Department of Supply, European Regional Office of UNRRA.

2. Penrose⁹³ said that a monthly report on current operations was too limited as basis for discussing general subject of equity of distribution which should be discussed in terms of overall programs. Such a discussion should be held on CCE after proper notice or at Council meeting. He therefore suggested resolution be withdrawn.

3. Ribar replied that he wanted assurance that supplies to Yugo would be increased. He still felt that population should be principal factor determining allocations and that on this basis supplies had not been equitably distributed. He was strongly supported by Ilyuschenko⁹⁴ (Soviet) who said resolution could not be withdrawn although some modification of language might be made. Ribar proposed two modifications which merely deleted specific reference to political discrimination and revised wording of last two paragraphs slightly.

4. Penrose pointed out that resolution still conveyed strong implication that there had been discrimination in allocating supplies. He said this reflected upon US through its position as one of the supplying countries and through its membership on intergovernmental allocation authorities. He repudiated suggestion that the US would in any way be a party to political discrimination or inequity in relief. The US had deliberately chosen to make its contribution to relief through an international organization rather than by unilateral action. He again urged withdrawal of resolution and said that if passed it might have serious effects.

5. Hasler⁹⁵ (UK) said most of supplies sent to Greece and Yugo so far had not been procured by UNRRA but merely taken over from military and paid for by UNRRA. Resolution therefore reflected not on UNRRA but on governments of the supplying countries. Discussion should be centered on UNRRA plans for next 6 months. He therefore opposed resolution. Vote was then taken and resolution defeated by 5 to 3 (US, UK, France, Canada and Greece against Yugo, Soviet and Zecho).

6. At previous meeting (June 26) CCE voted to admit ECITO⁹⁶ observer to CCE with proviso that Soviet which abstained from voting would inform committee of its position as soon as possible. Yesterday Ilyuschenko said he opposed admission of observer since

⁹³ Ernest F. Penrose, special assistant for economic affairs to the American Ambassador in London, and alternate U.S. Delegate on the CCE.

⁹⁴ Ivan Arsentievich Ilyuschenko, Soviet Delegate on the CCE.

⁹⁵ William J. Hasler, alternate United Kingdom Delegate on the CCE.

⁹⁶ European Central Inland Transport Organization. For documentation on discussions regarding the establishment of a European Inland Transport Organization, and Conference Held at London, October 10, 1944, to September 27, 1945, see *Foreign Relations*, 1944, vol. II, pp. 743 ff.

ECITO is provisional organization operating chiefly in western European countries while UNRRA primarily concerned with Eastern Europe. New vote was then taken with decision favoring admission of ECITO observer. Soviet Zecho and Yugo opposed motion.

WINANT

840.50 UNRRA/7-445

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] July 5, 1945.

Mr. Marris called at his request and handed me the attached communication.⁹⁷ He told me that he was under instructions to make an oral statement at the same time, which he did, reading from a cable. The statement was to the general effect that the British Government was not taking an ultimate or final position, in the communication just handed to me, that it would at no time be willing to consider treating Thailand as a liberated area. The position was rather that at this time, and in view of the fact that the Thai Government was at war with the British and was occupying certain provinces of Malaya and Burma, the British Government could not accede to our suggestion that Thailand be treated as a liberated country.

Mr. Marris went on to express the earnest hope that we would be able to modify our position so that this issue would not arise at the Council meeting in London as it would cause serious embarrassment to the British Government. This embarrassment, he stated, would have no compensative benefit to anyone because in all probability it would be some time before operations of any sort could be conducted in Thailand. He hoped that before the time for relief operations in that country arrived, circumstances will have so changed that the British Government might be able to meet our views. I told Mr. Marris that the views expressed by him and in the communication would have the most careful consideration in the Department, which would communicate with him as soon as possible. I also informed him of Mr. Clayton's⁹⁸ appointment as United States representative upon the Council and said that I believed, therefore, that the communication referred to would come to Mr. Marris through some other officer than myself.

DEAN ACHESON

⁹⁷ Not printed.

⁹⁸ Assistant Secretary of State William L. Clayton.

840.50 UNRRA Personnel/7-645 : Telegram

*Mr. Joseph E. Jacobs, Foreign Service Officer in Albania, to the
Secretary of State*

TIRANA, July 6, 1945—5 p. m.

[Received July 7—7:20 a. m.]

67. My 62, July 3.⁹⁹ No Albania UNRRA agreement signed and UNRRA staff including Oakley-Hill have left for Italy, Hill to return later when local authorities and UNRRA have so resolved their difficulties that can be signed.

Have learned that Hoxha somewhat chastened over departure UNRRA after discovering certain things re unsatisfactory treatment ML personnel and handling relief matters by his own relief organization and security police.

While Dept has not requested my views, feel in view sacrifices American people are being called upon to make for UNRRA I would be negligent in not reporting as follows.

In view present harvest slightly above normal there exists no need for large quantities foodstuffs except possibly next winter and not then if authorities demobilize some troops for farms. Albania's relief needs consist chiefly bridge material, cement and trucks to restore transportation facilities. Next are medical and hospital supplies followed by some agricultural machinery and equipment and seed and lastly by certain machinery and equipment to enable refineries at oil fields increase octane content gasoline from 50 to at least 80 so that vehicles supplied by ML and to be supplied by UNRRA can operate without gasoline imports. Foregoing are essentials and UNRRA relief should be restricted mainly to such and no effort or promises made to fill fantastic requests for complete rehabilitation Albania's economy which UNRRA seems to contemplate.

In field of personnel regardless of reasons it is fact Albanians are more than suspicious of Oakley-Hill as already mentioned my tel under ref.¹ If possible therefore at least second ranking person as deputy should be senior American with qualifications comparable to those of Hill and half of staff Americans with qualifications for doing work required. Restrictions of Albanian authorities of number of personnel make it imperative that lack numbers be compensated by

⁹⁹ Not printed; for summary of a portion of this telegram, see footnote 1, below.

¹ Telegram 62, July 3. 5 p. m., from Tirana, not printed, had reported Jacobs' inability to understand the reluctance of the Albanian authorities to sign an agreement with UNRRA, in view of the benefits such an agreement would confer. One factor, he felt, was the suspicion with which the Albanian authorities viewed Mr. Oakley-Hill, because of his previous contacts with Abas Kupi, exiled head of the "Legality Movement", and others considered by the authorities to be strongly hostile to Hoxha and his regime. "Another rumored reason," said Jacobs, "is supposition that Yugos-Soviet combination do not want Albania to have UNRRA relief and are working behind scenes." (840.50-UNRRA Personnel/7-345)

selection few energetic workers highly competent their respective fields.²

Sent Dept as 67, rptd Caserta as 76.

JACOBS

840.50 UNRRA/6-2845 : Telegram

The Acting Secretary of State to the Ambassador in Italy (Kirk)

WASHINGTON, July 17, 1945—7 p. m.

1194. After considerable discussion among interested officials here recommendation has been made to the President that US join in sponsoring at UNRRA Council meeting in London additional contributions by all contributing countries based on one percent of their national incomes.³ This should produce equivalent of eighteen hundred million dollars which together with present assets should permit UNRRA to complete its task in Europe and Far East. In Europe the program would probably continue through harvests of 1946.

We took this approach in place of purely US program because of desire to back first United Nations organization which we had originally sponsored and to foster international rather than national considerations in handling relief and rehabilitation matters. In addition contributions by other nations amounting to one-third of total can most easily be obtained through UNRRA.

In connection with this proposal we will urge expansion of UNRRA program in Italy⁴ to take care of its basic import requirements for about one year starting in Fall (probably November) of 1945. Such a program would include items such as food, raw materials, coal, agricultural supplies, medical supplies and some machinery and equipment. We estimate UNRRA cost for Italy under this program would be approximately \$500 million.

British are thinking along substantially same lines although their proposal involves immediate additional contribution of only one bil-

² Further delay ensued before Hoxha accepted the terms proffered by UNRRA. In the Agreement, signed August 1, the designation "Democratic Government of Albania" was used; for text, see Woodbridge, *UNRRA*, vol. III, p. 238. In a letter of August 1 to Hoxha, Mr. Oakley-Hill stipulated that: "The signature of this Agreement between the Administration and the Democratic Government of Albania has no political significance and is entirely without prejudice to the political question of recognition by the member Governments of the Administration." Hoxha assented to this. For texts of these letters, see *ibid.*, p. 246. For text of UNRRA statement on the occasion of the signing of the UNRRA-Albania Agreement, see Department of State *Bulletin*, August 5, 1945, p. 179.

³ Resolution 80, adopted by the Third UNRRA Council, called for an additional contribution from each member country approximately equivalent to one percent of the national income of each contributing nation as of the year ending June 30, 1943; for text, see Woodbridge, *UNRRA*, vol. III, pp. 146-147.

⁴ Resolution 73 dealt with further measures of relief and rehabilitation in Italy; for text, see *ibid.*, p. 143.

lion dollars to UNRRA and would postpone consideration of financing of Far East requirements until later. Their tentative estimate for Italy is \$400 million.

Our UNRRA proposal does not, of course, eliminate possibility of credits for reconstruction purposes from Export-Import Bank or through Bretton Woods arrangements.⁵

Above is for your confidential information and we would welcome your comments. Question of Italian membership in UNRRA not involved in above proposal.⁶

GREW

840.50 UNRRA/7-1045

Memorandum by Mr. Willard L. Thorp, Deputy to the Assistant Secretary of State (Clayton) ⁷

[WASHINGTON,] July 19, 1945.

You have with you two memoranda prepared under date of July 10 on Displaced Persons and the UNRRA problem in clarifying its functions in that regard. One of these memoranda was submitted by Mr. Wilcox,⁸ pointing out the urgency of reaching agreement with the Russians on this question. The other was prepared by Mr. Warren,⁹ suggesting a possible compromise between the UNRRA suggested resolution and the Russian position.

We have now discussed this matter with the British, who agree that a solution must be sought between the three governments, and who will work with us in preparing a draft for presentation to the Russians in London prior to the Council Meeting. If the occasion arises, in the course of your discussions with the Russians, you may wish to put them on notice of our feeling that UNRRA's directives on displaced persons' activities must be clarified, and that we hope they will be prepared to discuss a compromise solution of the present impasse in the course of the London Council Meeting.

At the meeting of the Central Committee of UNRRA yesterday afternoon, Mr. Klentsov questioned Mr. Hendrickson as to the general policy being followed in consulting the native country of the displaced

⁵ For text of the Bretton Woods Agreement, see Department of State, *Proceedings and Documents of the United Nations Monetary and Financial Conference, Bretton Woods, New Hampshire, July 1-22, 1944* (Washington, Government Printing Office, 1948), vol. I, p. 942; for related documentation, see *Foreign Relations, 1944*, vol. II, pp. 106 ff.

⁶ Italy did not become a member of UNRRA. Its ultimate status was that of a contributing and receiving nonmember; see chart in Woodbridge, *UNRRA*, vol. I, p. 106.

⁷ Addressed to Mr. Clayton.

⁸ The annex to this document, printed below.

⁹ Not printed. Mr. George L. Warren was Adviser on Refugees and Displaced Persons.

person. Mr. Feller, General Counsel, presented the reply. He described a number of different situations, particularly those involving Poles, where, obviously, arrangements with the new government have not yet been fully worked out. The real answer which he gave was that UNRRA feels that the policy must be clarified at the London meeting. It has *not* taken over the Yugoslavs in Italy.

[Annex]

Memorandum by the Director of the Office of International Trade Policy (Wilcox) to the Assistant Secretary of State (Clayton)

[WASHINGTON,] July 10, 1945.

This memorandum discusses a problem scheduled to come before the UNRRA Council meeting in London which may evoke sharp differences of opinion between the U.S. and U.S.S.R. unless representatives of the two countries can reach agreement in advance of the meeting.

The Problem

A member government of UNRRA, Yugoslavia, has raised the following questions with UNRRA officials and UNRRA has agreed to raise them at the UNRRA Council meeting in London in August:

1. Does UNRRA have the authority to assist displaced persons in enemy or ex-enemy areas without the agreement of the country of which the displaced persons are nationals?
2. Does UNRRA have the authority to assist displaced persons who do not wish to be repatriated?

UNRRA has been assisting such persons, although the UNRRA Resolutions are not entirely clear as to whether a member nation has the power to prevent its displaced nationals from securing UNRRA assistance in such cases. The U.S.S.R. supports the Yugoslav position that UNRRA does not have such authority, whereas the United States has taken the position that UNRRA does or should have such authority. The central question is whether a member government of UNRRA may deny UNRRA assistance to those of its displaced nationals whom it regards as undesirable or possibly disloyal citizens.

A division of opinion between the United States and the U.S.S.R. on this problem might endanger the future of UNRRA. An open split at the Council meeting between the U. S. and the U.S.S.R. would have additional unfortunate consequences. It is important therefore, that Mr. Byrnes or Mr. Clayton try to get Foreign Commissar Mol-

otov ¹⁰ to agree to the U. S. view in Berlin ¹¹ in advance of the UNRRA Council meeting.

The Director General of UNRRA is proposing that the appropriate Resolution (57) be amended to give UNRRA express authorization to assist displaced persons in all areas, except persons who have been taken into the custody of appropriate military or civil authorities for collaborationist or criminal activities. The proposed amendment is set forth in page 5 of the attached UNRRA document.¹²

Recommendations

1. That the recommendations of the Director General of UNRRA be supported unequivocally by the U.S. representative at the UNRRA Council meeting.

2. That Mr. Byrnes or Mr. Clayton discuss the matter with Foreign Commissar Molotov and such other foreign officials as are deemed appropriate, prior to the UNRRA Council meeting, and make clear the U.S. position.

Discussion

1. The spirit of the UNRRA Resolutions is unquestionably against discrimination in the distribution of supplies on the grounds of political belief. Resolutions 1, 2 and 7 may be cited.¹³

2. Acceptance of the Yugoslav request that assistance be withheld from its displaced nationals who have not been designated by it, would put upon UNRRA extremely heavy, if not completely impossible, administrative burdens. UNRRA would almost certainly become involved in controversies with the member governments. In case of failure of a government or UNRRA, acting for said government, to certify persons, UNRRA would be in the position of denying the barest means of life to displaced persons.

3. It was certainly not contemplated by the U.S. Congress or by the U.S. public that UNRRA aid to distressed and displaced persons would be subject to any such local political controls. Acceptance of the Yugoslav proposal would mean that UNRRA could not assist German and Polish Jews who do not wish to return to their home countries. It is difficult to imagine Congress appropriating additional funds for UNRRA if such actions as Yugoslavia proposes are possible and likely. Failure of Congress to appropriate funds would probably kill UNRRA.

¹⁰ Vyacheslav Mikhailovich Molotov, Soviet People's Commissar for Foreign Affairs.

¹¹ Reference is to the Potsdam Conference, July 16–August 2, 1945.

¹² Not printed.

¹³ Texts in Woodbridge, *UNRRA*, vol. III, pp. 42, 46, and 47, respectively.

4. The U.S.S.R. takes the position, we understand, that since UNRRA is a United Nations organization, its beneficiaries should not be tainted by collaborationist activities or associations. The U.S. position has been that it is difficult to identify collaborationists, that the power of member governments to declare displaced persons ineligible for UNRRA assistance on political grounds might easily be abused, that such distinctions would result in gross inhumanities, and that displaced persons actually in the custody of appropriate military and civil authorities on collaborationist or criminal charges have not and should not be assisted by UNRRA.

840.50 UNRRA/6-445

The Acting Secretary of State to the Director General of UNRRA
(Lehman)

WASHINGTON, July 24, 1945.

MY DEAR GOVERNOR LEHMAN: As you know, the principal United States effort to contribute to Yugoslav relief and rehabilitation will at least initially be through UNRRA. Since a large part of UNRRA supplies for Yugoslavia will come from United States sources, we are well aware that the success of the UNRRA program for Yugoslavia will depend to a great extent upon the efficient functioning of the United States supply and allocation machinery. I want to assure you that we will give UNRRA every possible assistance in procuring and shipping supplies scheduled to go to Yugoslavia from the United States, and I am reminding the several agencies concerned of our policy in this regard by sending them copies of this letter.

In view of the severe world-wide shortage of many types of supplies and the resulting urgent demands on the United States from all claimants, it is necessary however that UNRRA requests for supplies for Yugoslavia be based on accurate information as to conditions within the country. It is particularly important that there be adequate assurances that all indigenous supplies needed for relief purposes are kept within the country and not exported and, together with imported supplies, are distributed efficiently and without discrimination.

I am asking our Ambassador at Belgrade ¹⁴ to render all possible aid and assistance to the UNRRA Yugoslav mission in achieving its objectives, and I hope that your mission can keep him informed of its activities.

Sincerely yours,

JOSEPH C. GREW

¹⁴ Richard C. Patterson, Jr.

840.50 UNRRA/7-2745 : Telegram

The Chargé in the Soviet Union (Kennan) to the Secretary of State

Moscow, July 27, 1945—10 a. m.

[Received July 27—6:30 a. m.]

2687. UNRRA delegation to Poland arrived in Moscow on July 23. Members are Menshikov,¹⁵ Weisl, Teesdale, Stein, and Americans Hays, Wilson, Anderson, Schacter, Holle, and Miss Mott. They came via Tehran and Moscow at insistence of Menshikov and Russians. They were met here by Vice Commissar of Foreign Trade Sergeev and entertained by him at an elaborate luncheon following day. Menshikov apparently intends to keep delegation here for several days despite outspoken desire of the other members to proceed to Poland and get to work as soon as possible.

Members of the commission have confidentially stated that there was no reason for entry via Moscow insofar as UNRRA is concerned and they deplore extra \$20,000 expended and time lost in order to enter via this route. They comment that there is obviously strong Russian interest in having them arrive in Poland only after stopping in Moscow. They have also been greatly perturbed over delay of several months due to Russia's refusal to grant permission to enter Poland and were considerably annoyed when Soviet representatives moved to have expunged from the minutes of committee meeting in London statement to effect that unwillingness of the Soviet Government to grant visas to them or [*for?*] entry to Poland had been sole cause of delay. Soviet representative insisted on substitution therefor of statement that delay had occurred as a result of the failure of the Polish Govt. to invite delegation. Despite the fact that the committee had had in hand for some time a telegram from Polish Provisional Govt. extending such invitation and despite outspoken opposition of non-Soviet members of committee Lehman directed from UNRRA Hqs that minutes be changed to meet Soviet wishes.

Menshikov who in addition to his job as Deputy Director General is now head of Bureau of Services¹⁶ of UNRRA in charge of health, welfare and displaced persons was originally instructed to stay in Poland only long enough to negotiate basic agreement with Polish Govt covering UNRRA operations and to leave implementation of agreement to an American successor. Just before leaving Washington, however, Menshikov succeeded in having his orders changed to include his remaining in charge in Warsaw throughout initial period of operations after agreement is concluded. Delegation members

¹⁵ Mikhail Alekseevich Menshikov, Deputy Director General, UNRRA Bureau of Services; also Chief of the temporary UNRRA delegation to Poland.

¹⁶ As a result of a reorganization order of May 3, 1945, the Bureau of Areas became the Bureau of Services.

confidentially report that strenuous efforts are still being made to get a Russian appointed as head of the delegation to Poland and suspect that Frantisek Weisl who in addition to his position as Vice Chief of the delegation is permanent Chief of the [Central and] Eastern European Division of Bureau of Areas¹⁷ is cooperating closely with Menshikov.

Teesdale the accountant is much perturbed over Russia's insistence on retaining the 5.3 official rate for UNRRA transactions in Russia rather than granting the diplomatic rate of twelve to one. Inasmuch as the delegation intends to depart for Poland within 2 or 3 days and in accordance with special instructions the US Army Finance Officer here is prepared to provide up to 6,000 gold seal dollars in US currency for the running expenses of the group during first three months in Poland, the problem is not at present an acute one. Teesdale feels, however, that Russians themselves are likely to request large deliveries from UNRRA and that in that event rate would be extremely important in reimbursement of salaries paid and expenses incurred in Russia.

Sent Dept. as 2687, repeated London as 379 and Paris for Lane¹⁸ as 257.

KENNAN

840.50 UNRRA/7-2945 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, July 30, 1945—7 p. m.

6329. Upon his arrival London please communicate to Clayton¹⁹ for his information Kirk's²⁰ 3097 July 29 from Caserta, quoted below.

"We are informed from Belgrade that numerous indications point to following conclusions:

That machinery being shipped to Russia from Yugoslavia is perhaps expected to be replaced by UNRRA; wheat, livestock, sugar and glass and other commodities are being hurried to Russia; strong suspicion that all UNRRA wool will go to Partisan Army, as yet

¹⁷ Following the reorganization of May 3, 1945, Mr. Weisl became Adviser, Office of Country Mission Affairs.

¹⁸ Arthur B. Lane, Ambassador to Poland, was en route to Warsaw via Paris.

¹⁹ Assistant Secretary of State William L. Clayton was at this time adviser to the U.S. delegation at the Tripartite Conference of Berlin (Potsdam), July 17-August 2, and was due in London on August 7 for the Third Session of the UNRRA Council, August 7-25, as U.S. Council member.

²⁰ Alexander C. Kirk, American Ambassador in Italy, Representative on the Advisory Council for Italy, and Political Adviser on the Staff of the Supreme Allied Commander, Mediterranean Theater (Alexander).

showing no signs of decrease in size; UNRRA food and medical supplies being used to foster Communist Party to disadvantage of bulk of population.

Since UNRRA supplies have not yet penetrated Serbian and Belgrade areas it may be possible that fanatical minority groups of Communists and OXNA [*OZNA*?]²¹ are attempting to use UNRRA for their own purposes but that majority of officials are trying to see that those in need receive UNRRA supplies."

Sent London repeated Moscow.

GREW

840.50 UNRRA/7-3045 : Telegram

The Acting Secretary of State to the Ambassador in China (Hurley)

WASHINGTON, July 30, 1945—7 p. m.

1172. (1) This Government will propose to the UNRRA Council at its forthcoming meeting in London, August 7, that the present contributions to UNRRA be doubled so that the Administration can complete the relief programs presently contemplated for Eastern Europe and the Far East. We are using in this tentative budget the present UNRRA Chinese program as screened in collaboration with CNRRA²² which amounts to approximately 817 million dollars exclusive of shipping.

(2) Above for your confidential information. You will be kept informed of developments. There have been indications that some of the FEA²³ representatives in China have informed Chinese Government officials that FEA rather than UNRRA would be the main channel for supplying China's relief needs.²⁴ It is realized that such rumors weaken the position of both UNRRA and of CNRRA. In view of this Government's decision to seek full support for UNRRA activities in the Far East, you may wish to emphasize to members of your staff the line which will be followed in London and to request avoidance of discussing the relative position of UNRRA and FEA in future Chinese supply programs until the Council has taken a final decision on our recommendation.

GREW

²¹ Section for the Defense of the People.

²² Chinese National Relief and Rehabilitation Administration, a special agency set up by the Chinese Government in January 1945 "to conduct negotiations and relationships with UNRRA and to administer and coordinate postwar relief and rehabilitation operations in China." See Woodbridge, *UNRRA*, vol. II, p. 374.

²³ Foreign Economic Administration.

²⁴ In telegram 1357, August 14, 1945, 5 p. m., the Ambassador in China stated that he was sure none of the local representatives had made such a statement but that he was informed that an FEA official visiting China made statements which might be so interpreted, although he doubted they were as categorical as indicated (840.50 UNRRA/8-1445).

840.50 UNRRA/7-3045

The Acting Director General of UNRRA (Hendrickson) to the Assistant Secretary of State (Clayton)

WASHINGTON, 30 July, 1945.

DEAR MR. CLAYTON: Attached you will please find a copy of a letter²⁵ which we have today dispatched to the several Combined Boards.²⁶ So that you may be fully acquainted with the chronological background of this matter, I am transmitting to you the following facts.

On 24 July 1945, Mr. V. A. Klentsov, the U.S.S.R. member of the UNRRA Council notified me orally but formally that the U.S.S.R. is requesting the United Nations through UNRRA to provide them with \$700,000,000 worth of relief and rehabilitation supplies. He indicated at that time that the details and specifications of those supplies will be made available to us in the near future.

This Administration immediately requested the Canadian Ambassador to the United States, Mr. L. B. Pearson, to take the necessary steps prescribed in UNRRA's Resolution No. 14,²⁷ to determine the ability of the U.S.S.R. to pay for relief and rehabilitation supplies in suitable means of foreign exchange.

In the meantime, Mr. Klentsov called on me again on 30 July 1945 and left a memorandum with me, copy of which is attached.²⁵ This memorandum contains a limited statement as to the breakdown of supplies required by the U.S.S.R.

So soon as more details become available to us, we shall again be in touch with the several Combined Boards.

Sincerely yours,

ROY F. HENDRICKSON

840.50 UNRRA/8-245: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 2, 1945—7 p. m.

[Received August 2—5:05 p. m.]

7798. For Moffat from Gilpatric.²⁸

Topic 1. Draft compromise resolutions²⁹ discussed with Butler³⁰ and Strang³¹ Aug 1. Penrose³² participated. Neither acceptable

²⁵ Not printed.

²⁶ Combined Production and Resources Board; Combined Food Board; Combined Shipping Adjustment Board; Combined Raw Materials Board.

²⁷ For text, see Woodbridge, *UNRRA*, vol. III, p. 57.

²⁸ Chief of the War Areas Economic Division; also adviser and executive secretary to the United States delegation at the Third UNRRA Council meeting.

²⁹ Not printed.

³⁰ Sir Paul Butler, adviser in the British Foreign Office and United Kingdom Representative on the Committee of the Council for the Far East.

³¹ Sir William Strang, political adviser to the Commander in Chief, British Forces of Occupation in Germany.

³² Ernest Francis Penrose, special assistant to the American Ambassador in the United Kingdom; also adviser to the United States delegation at the Third UNRRA Council meeting.

to British who argued that action was urgent Korea and Formosa but that Thailand question could not come before Council without serious political consequences for them.

Topic 2. Third draft was discussed, to meet both points of view and would include first whereas clause of first draft and first two whereas clauses of second draft followed by:

"Be it resolved:

1. That CCFE³³ recommends to the Council adoption of the following resolution:

Resolved: In accordance with the provisions of part one of resolution one the Administration is hereby authorized to operate in Korea and Formosa upon the terms and conditions applicable to liberated areas.

2. That the committee invites the Director General to study the question of what relief operations may be required in Thailand, should it be decided at a later date that the Administration should extend its operations to that country, to prepare tentative plans for such operations, including their probable cost, and to report back to the next meeting of the CCFE."

Topic 3. Alternative wording for resolution might be:

"Resolved: In accordance with provisions of part one of resolution one the Administration is hereby authorized to operate in Korea and Formosa upon the terms and conditions applicable to liberated areas. The Council also invites the Director General, prior to a determination of what relief operations may be undertaken in Thailand, to ascertain whether deterioration of food, clothing, housing and health conditions has occurred below the minimum which the Administration feels to be necessary, to prepare tentative plans for relief operations which would be essential to restore such standards, including estimates of probable cost, and to report on these matters to the Central Committee or to the Council at its next meeting."

This latter text has not been submitted to the British but believe it is best possible compromise of views that could be reached.

Topic 4. Dooman³⁴ and Vincent³⁵ feel wording topic 2 above goes too far but that topic 3 above represents reasonable and satisfactory concession to the British viewpoint. We concur. CCFE meeting adjourned, after consideration of item 5, until Monday.³⁶ Please cable reply NIACR³⁷ to arrive Saturday,³⁸ while Vincent and Dooman still here. [Gilpatric.]

WINANT

³³ Committee of the Council for the Far East.

³⁴ Eugene H. Dooman, Special Assistant to the Director of the Office of Far Eastern Affairs.

³⁵ John Carter Vincent, Chief of the Division of Chinese Affairs.

³⁶ August 6.

³⁷ Night Action Telegram.

³⁸ August 4. In its telegram 6486, August 3, 1945, 1 p. m., to London, the Department indicated its concurrence with the views expressed in topic 4 and approved the wording of the alternate resolution in topic 3 (840.50 UNRRA/8-345).

840.50 UNRRA/8-445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 4, 1945—1 p. m.

[Received August 4—10 a. m.]

7860. For Moffat from Vincent and Dooman. Re Department's 6486, August 3.³⁹

1. We had occasion last night to discuss informally with Sterndale Bennett⁴⁰ the draft resolution. He said that any reference to Thailand would be certain to create serious difficulties here. He thought it would probably injure prospects of obtaining final approval of a paper now being submitted to the Cabinet designed to bring about reconciliation of British and American positions with respect to Thailand.

2. There are in the present circumstances three alternative courses:

(a) Present resolution in form described in Gilpatric's 7798, August 2.

(b) Present resolution in truncated form to cover only Korea and Formosa;

(c) Withdraw resolution.

3. We favor either alternative (b) or (c). If so decided, opportunity would be offered to discuss in favorable atmosphere basic policies and attitudes affecting Thailand and to reach agreement before the next session of the Far Eastern Committee.⁴¹

4. In any event, no useful purpose would be served by our continued stay here. We are leaving tomorrow. [Vincent and Dooman.]

WINANT

840.50 UNRRA/8-645 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

[Extracts]

LONDON, August 6, 1945—8 p. m.

[Received 9 p. m.]

7910. For the Secretary, Acting Secretary and Acheson from Clayton.⁴² The delegation has been giving attention to the Soviet request

³⁹ Not printed; for substance, see footnote 38, p. 1002.

⁴⁰ John C. Sterndale Bennett, Head of the Far Eastern Department, British Foreign Office.

⁴¹ In its telegram 6533, August 4, 1945, 2 p. m., to London, the Department indicated that it favored Alternative (b) (840.50 UNRRA/8-445).

The text of Resolution 76 of the UNRRA Council, designating Korea and Formosa as areas in which UNRRA should operate, is given in Woodbridge, *UNRRA*, vol. III, p. 145.

⁴² Assistant Secretary of State Clayton was in London for the Third Session of the UNRRA Council, August 7-25, 1945.

for \$700,000,000 of UNRRA assistance and has been advised that the Soviets have stated informally to UNRRA that they have made this request because Lend-Lease and credit negotiations have "failed".⁴³ We have reviewed the course of discussions on Lend-Lease and credits from incomplete files which Collado⁴⁴ brought along and have requested Ambassador Harriman to advise us specifically as to the status of his talks with Mikoyan.⁴⁵

I should like your views with respect to the \$700,000,000 request. The weight of opinion within the delegation is against any such use of UNRRA funds. It is argued that the approval of such a program would require the contributing countries to furnish that much additional money. The British have indicated pretty clearly that they are not prepared to do so. A number of members of the delegation feel that the Congress would be unlikely to approve additional funds for the purpose. The extension of long-term credits for capital goods through the Export-Import Bank and eventually the Bretton Woods Bank⁴⁶ should fully meet Russia's financial needs. It is unlikely that the type of supplies which Russia is requesting could be furnished in large volume in any event without taking needed supplies from other European countries.

Other members of the delegation argue also convincingly that UNRRA was established to provide relief and emergency rehabilitation for devastated areas. The possibility of obtaining reconstruction credits was not supposed to be a barrier to the receipt of UNRRA assistance. Russia has been more extensively devastated than any other country in the world. While her reconstruction potentialities are very great her reconstruction relief and rehabilitation needs are also very large. Russia's sacrifices in the war have been enormous and her standard of living always low is probably as low or lower than that of any other European nation. Her case for aid differs from that of China, Czechoslovakia, Poland, Yugoslavia and even Greece and Italy only in degree and a committee set up under Resolution 23⁴⁷ might find it difficult to pronounce Russia a paying country in view of the recent Chinese case and in fact all the earlier precedents. Moreover, the Soviets will probably compare unfavorably the proposed treatment of Italy an ex-enemy with that of Russia.

⁴³ For documentation concerning United States aid for the Soviet Union and discussion of credit arrangements, see vol. v, pp. 937 ff.

⁴⁴ Emilio G. Collado, Director of the Office of Financial and Development Policy; Adviser, U.S. delegation, Third Session of the UNRRA Council.

⁴⁵ Anastas Ivanovich Mikoyan, Soviet People's Commissar for Foreign Trade.

⁴⁶ The Bretton Woods Agreement Act was approved on July 31, 1945; 59 Stat. 512.

⁴⁷ For text, see Woodbridge, *UNRRA*, vol. III, p. 67. This resolution provided for the setting up of a subcommittee which would "advise the Director General relative to determining whether a government is in a position to pay. . . ."

It is believed here that the Soviets will attempt to force a decision of the Council at this meeting. It is our belief that we should try to leave the matter open rather than to try to achieve a flat turn down at this time. If the matter is left open we may be able to achieve a successful meeting of the Council and the request may possibly be subsequently withdrawn or sidetracked in view of the credit negotiations.

Our present thinking suggests the immediate appointment of a Resolution 23 committee to meet with the Russians at once and request a presentation as to need and ability to pay. This may in itself result in the desired postponement until after the Council meeting is over.

I should appreciate an urgent expression of the Department's views both with respect to the credit procedure and to the UNRRA procedure. I have repeated this to Ambassador Harriman requesting that he send the Department and me his views.

Sent to Department, repeated to Moscow as 274. [Clayton.]

WINANT

840.50 UNRRA/8-645 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, August 7, 1945—8 p. m.

6627. For Clayton. Discussions have been had with Acting Secretary ⁴⁸ and Acheson on questions raised in your 7910 of August 6. Will advise further if Secretary upon his return has additional comments.

We believe it very unlikely that additional contributions to cover Russian request, together with other planned operations, could be obtained from Congress. It is important therefore if entire program is not to be jeopardized that Russian request be either withdrawn or otherwise disposed of prior to presentation of UNRRA program to Congress.

You may, if you believe it advisable, convey to Russian UNRRA delegation anticipated difficulty in securing from Congress UNRRA contribution containing funds for Russia in view of their strong foreign exchange position, other assistance from Eastern European countries, receipts from reparations, and possibility of credits from Ex-Im Bank and World Bank.

Our goal should be to avoid approval by the Council of an operating budget containing Russian program. Department believes you

⁴⁸ This telegram was drafted by Dallas W. Dort, Adviser in the War Areas Economic Division.

should decide, in light of discussions in London, whether our objective can best be obtained by attempting to secure an immediate decision by [Sub]committee under Resolution 23 adverse to Russian claim as a non-paying government, or by attempting to delay decision in hope that Russians can subsequently be persuaded to withdraw their claim or a decision adverse to them later obtained under Resolution 23.

We agree that Russians should be advised that Ex-Im Bank is now in position to go fully into proposals which they may put forward. We are asking Harriman to make such a suggestion to them. Simple announcement that he has discussed matter with them will be made here when we receive word from him that he has done so.

Repeated to Moscow for appropriate action and report as 1760.

GREW

840.50 UNRRA/8-945 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 9, 1945—2 p. m.

[Received 11 : 23 p. m.]

8010. For the Secretary, Acting Secretary and Acheson from Clayton. Thanks for the prompt response to my message outlining the problems raised by the Russian request for UNRRA assistance. We shall be guided by your views and will certainly seek to persuade the Soviets to withdraw their demand when other avenues of assistance are open to them. I think we must be prepared for Russian refusal to follow our recommendation since publicity already given may raise quite a point in prestige. I therefore wish to summarize the background of recent developments here in the event that we must make a decision to include Russia either as a competing claimant for the projected increase to contributions that we have in mind or the occasion of requesting even more funds for UNRRA than the one percent additional contribution would provide.

1. We met with the Russians Monday night ⁴⁹ and outlined the views generally expressed in my 7910.⁵⁰ The Russians were obviously unwilling to commit themselves to UNRRA operations in Italy or Austria until their case was acted upon and in effect requested perfunctory clearance by the Resolution 23 [sub] committee. We assume that they have requested Moscow for instructions in view of our position as expressed at that meeting since they have not suggested any further conference on the subject.

2. We have had several conferences with the British and Canadians [in] which we have emphasized our anticipation of the difficulties that

⁴⁹ August 6.

⁵⁰ Dated August 6, p. 1003.

would be encountered in securing additional funds for UNRRA to meet Russian demands. The British of course are even more reluctant to contribute relief to Russia in view of their over all financial position.

3. Pearson ⁵¹ stated that if the Soviets did not withdraw their request Canada would find it difficult to secure any additional UNRRA contribution if the Russian claim were to be rejected. While it is of course impractical at this stage to estimate the firmness of the British position I doubt that they would fail to go along if the whole future of UNRRA were at stake. Marris ⁵² said he thought they would follow our lead when we reached a position. I do anticipate that they would urge that any Russian program must come within the additional one percent maximum contribution.

4. If the Russians intend with this request to open the door to proper supervision of UNRRA operations within Eastern Europe including their own country to a reasonable extent it is an important development. There is no evidence of this as yet but we were encouraged today to hear from them that they accepted our proposed resolution on new membership including the Argentine which we told them would not be presented if they were going to raise objections. We have not heard that they will attempt to meet our views on displaced persons and there has been insufficient discussion of past and proposed UNRRA operations relating to displaced persons to indicate the extent or nature of their criticisms.⁵³ Lehman informed me yesterday that Sergeev ⁵⁴ had requested him to treat the Russian request as an additional requirement for new funds in his presentation of reports to the Council. Whether this indicates that the Russians remain firm in their position or whether they were seeking to avoid the impression of Russian needs being met at the expense of requirements of other claimants is a question.

5. It would be useful to have your views on Congressional reaction to approving funds for UNRRA as part of the relief pool within the maximum appropriation we have in mind. It may be very difficult and perhaps undesirable to eliminate Russia as a limited UNRRA beneficiary and I should want to be rather careful in suggesting to any other govt that public or Congressional opinion would resist direct relief to Russia unless you concur. [Clayton.]

WINANT

⁵¹ Lester B. Pearson, Canadian member of the UNRRA Council. As Chairman of the UNRRA Committee on Supplies, Mr. Pearson named the members of the Resolution 23 subcommittee.

⁵² Adam D. Marris, member of the United Kingdom delegation, Third UNRRA Council.

⁵³ See telegram 8016, August 9, from London, p. 1009, and telegram 6842, August 13, to London, p. 1012.

⁵⁴ Vasilii Alekseevich Sergeev, Chief of the Soviet delegation, Third UNRRA Council.

840.50 UNRRA/8-945: Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, August 9, 1945—3 p. m.

[Received August 9—1:41 p. m.]

2820. Reference London's 274, August 6, 8 p. m.⁵⁵ For Asst Secretary Clayton. In accordance with your request, for your information I cannot agree with the Russian statement that "Lend-Lease and credit negotiations have failed".

The United States made a most generous proposal for credit arrangements under Lend-Lease which if the Soviets had accepted would have provided for a continuation of certain shipments. The Soviet declined to accept our proposal because of a difference between our offer of 2⅜ percent interest as against their insistence on 2¼ percent and because they wished the United States Govt to sell supplies to them at a loss. Mikoyan overplayed his hand and no doubt thought that the supplies they needed would be in such oversupply after the war that they could be purchased at lower prices and at better credit terms. The negotiations for a credit for reconstruction have been held up pending the necessary congressional authority to the Export and Import Bank. There is now no reason why the Soviets cannot now negotiate a credit.

I have little to add to the Acting Secretary's cable to you No. 1760, August 7, 8 p. m.⁵⁶ in which I fully concur on the subject of Russia's request for UNRRA assistance. It may be of interest for you to know that Doctor Michael, this Embassy's Agricultural Attaché, believes that there should be enough food from sources available to Russia to sustain the Russian people on a minimum diet. There will, of course, be a shortage of fats and meats for a desirable diet although an increase over last year.

I feel also that we should bear in mind the fact that Lend-Lease supplies came forward to the Soviet Union in large volume by shipments leaving the United States up to the end of May. A very large quantity of these supplies are available for current use including food, trucks, raw materials, machine tools, et cetera.

Large numbers of Russian troops are living off the country in Germany and the satellite countries. In general, Russia's situation cannot be compared with the difficult position of countries which were completely occupied by the Germans.

Sent to London as 394, repeated to Dept as 2820.

HARRIMAN

⁵⁵ See last paragraph of telegram 7910, August 6, from London, p. 1003.

⁵⁶ See telegram 6627, August 7, to London, p. 1005.

840.50 UNRRA/8-945 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 9, 1945—4 p. m.

[Received August 9—2 : 26 p. m.]

8016. Soviet delegation UNRRA Council meeting reports "impression" that Soviet Foreign Office has replied to Dept on Displaced Persons memorandum given to Molotov at Potsdam by Secretary of State.⁵⁷ Kindly confirm receipt or non-receipt such reply and cable contents if any.

US delegation proposes to introduce resolution on subject of UNRRA authority to give relief to Displaced Persons unwilling to return immediately to their countries substantially in following sense :

"Resolved that the administration be authorized to carry out operations for the care of Displaced Persons as contemplated in Resolution 1, Part II (2),⁵⁸ Resolution 57⁵⁹ and Resolution 60,⁶⁰ pending decisions to be reached after consultation with the Govts concerned and in agreement with the occupying, military or political authorities of the area in which the Displaced Persons concerned are located, as to the conditions in which such persons shall be repatriated, returned to their homes or removed to other areas."

In absence of instructions from Moscow position of Soviet Delegation here is to stand on action taken at recent UNRRA meeting in Washington⁶¹ which they interpret as denial of authority to UNRRA to assist those unwilling to return immediately. Our view is that Washington vote did not accord or deny authority to UNRRA to assist such persons. Soviet representative on Displaced Persons present at Washington meeting is unwilling to transmit foregoing US proposal to Moscow for consideration. Kindly cable comment on proposed resolution and repeat to Moscow. If resolution approved request Moscow to secure Soviet Foreign Office acceptance and instruction to Soviet Delegation here to this effect.

Sent Dept as 8016, repeated Moscow as 279.

WINANT

⁵⁷ Not found in Department files.

⁵⁸ For text, see Woodbridge, *UNRRA*, vol. III, p. 43.

⁵⁹ *Ibid.*, p. 135.

⁶⁰ *Ibid.*, p. 137.

⁶¹ Reference is to a Central Committee meeting on July 18; for a summary, see telegram 6842, August 13, 5 p. m., to London, p. 1012.

840.50 UNRRA/8-645 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 10, 1945—5 p. m.

6758. For Clayton. The Secretary has now had an opportunity to consider your 7910 of August 6 and 8010 of August 9. He agrees that to increase the prospective operating budget of UNRRA by \$700,000,000 for Soviet relief would make the US contribution beyond what could be obtained from Congress. For us to agree to such a budget in London would be to undertake something which we could not accomplish. You should stress that as we have repeatedly said to Congress UNRRA funds are not regarded by us as compensation for suffering or effort in the war but to furnish the necessities to liberated areas where, except for UNRRA assistance, they would not be available.

The Soviet Union has already had vast assistance from the United States and the Ex-Im Bank and Bretton Woods legislation both contemplate substantial US dollars being available for Soviet purchases. These steps, taken together with the Soviet foreign exchange position, make it clear that imports from the west to the Soviet Union do not in any way depend upon the furnishing of UNRRA relief. Furthermore, if the Soviet Union is regarded as a nonpaying country, then the whole conception becomes meaningless.

The Soviet position, which is the same as that taken by them at Atlantic City⁶² and Montreal,⁶³ is that they are entitled to relief because of the greatness of their sufferings and contribution to victory. A discussion along these ideological lines has always proved fruitless. The point as we see it is that certain imports have to be furnished by UNRRA or they will not be furnished at all. The burden of these is chiefly on the US and is already greater than we may be able to meet. To add more, which is not necessary, may well bring about the collapse of UNRRA. This we are unwilling to risk. We are all the more unwilling to do this since we have already passed the financial legislation which makes it entirely possible to finance Soviet needs.

Your reference to the undesirability of eliminating Russia as a limited UNRRA beneficiary leads us to suggest that the Russian position might be met by including in the maximum UNRRA program as hitherto conceived a much smaller sum, say fifty to one hundred

⁶² Reference is to the first meeting of the UNRRA Council, November 10–December 1, 1943. For documentation on U.S. participation in the establishment and operation of UNRRA, see *Foreign Relations*, 1943, vol. i, pp. 851 ff. and pp. 1014 ff.

⁶³ Reference is to the second meeting of the UNRRA Council, September 15–27, 1944. For documentation on U.S. participation in the work of UNRRA, see *ibid.*, 1944, vol. ii, pp. 331 ff.

million for emergency relief in Soviet territory under the resolutions adopted by the Central Committee last spring.⁶⁴ This would leave for the future the question of whether the Soviet Union would be called upon to repay. Taken together with the willingness of the Ex-Im Bank to negotiate this proposal might enable the Russians to withdraw from this present position.

BYRNES

840.50 UNRRA/8-945 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 10, 1945—8 p. m.

6771. For Clayton. Reference ur 8011 August 9.⁶⁵ Commonwealth Govt has taken no steps to consult US regarding financial question involved in its request for UNRRA assistance. In absence of any discussions we have no information extent of Philippine request or basis on which it attempts to justify status as non-paying govt. Filipinos have previously been informed that 15 million dollars was available in War Dept to be turned over to Commonwealth Govt for relief purposes upon its request but no request has been received. No definite or final plans have been developed by Philippine Rehabilitation Commission but on June 7 Senator Tydings⁶⁶ outlined a relief program which included a proposed gift of \$100,000,000 for rehabilitation purposes together with a 3-year loan to supplement Philippine Govt revenues.⁶⁷ It is anticipated that Congress will give the whole matter prompt consideration when it reconvenes. The case for such assistance might well be prejudiced with Congress if an UNRRA program had been approved.

There is a large circulation of pesos at present time which are interchangeable with dollars. Filipinos would have dollar funds to finance such supplies as may be sold for pesos in the Commonwealth whether such supplies are furnished through private channels, which US is attempting to encourage, or by UNRRA. In event of UNRRA imports, govt would have available for payment to UNRRA dollars equivalent to amount of pesos it received from sale of UNRRA supplies and retired from circulation.

It is view of Dept that Filipinos should approach US with reference to their relief needs rather than attempt to secure UNRRA assistance.

⁶⁴ Presumably reference is to the Resolution for Emergency Relief Programs, adopted by the UNRRA Central Committee, February 26, 1945; see telegram 1492, February 27, 6 p. m., to London, p. 966.

⁶⁵ Not printed.

⁶⁶ Senator Millard E. Tydings, of Maryland, was Chairman of the Philippine Rehabilitation Commission.

⁶⁷ For text of Senator Tydings' speech, see *Congressional Record*, vol. 91, pt. 5, p. 5692

Interior indicates that it is not prepared to endorse Philippine request since matter was not discussed with us beforehand and no information is available.

BYRNES

840.50 UNRRA/8-1345 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 13, 1945—5 p. m.

6842. For Clayton. Reur 8016, August 9. Following is paraphrase of note handed to Grew Aug 10 by Soviet Chargé d'Affaires on displaced persons.

Begin paraphrase. Replying to your memorandum of August 1, 1945,⁶⁸ raising the question about the furnishing of UNRRA aid to displaced persons in enemy and formerly enemy regions without consent of the government of the nation to which displaced persons belong as well as regarding assistance to displaced persons not wanting to be repatriated, you are informed by me as follows:

It is belief of the Soviet Government that in regard to furnishing of aid to displaced persons now in enemy or formerly enemy regions UNRRA should follow Resolution number 57 adopted at Montreal in September 1944 at the second session of the UNRRA Council. It is provided in this Resolution that aid may be rendered by UNRRA to the mentioned displaced persons upon consent of the government of the country of which they are citizens.

The Soviet Government considers that, in light of this Resolution, UNRRA can not furnish assistance also to displaced persons not desiring to be repatriated. As an organization of the United Nations UNRRA should not put itself in opposition to the United Nations governments, a situation which may be inevitably brought about if it furnished to such displaced persons who are citizens of one of the United Nations aid and assistance. Soviet Government can not agree to your proposal in view of the above. Signed V. Molotov.
End paraphrase.

In view of above Dept is not asking Harriman again to raise question in Moscow.

At Washington Central Committee meeting July 18, Thorp attending, Klentsov asked question concerning displaced persons. Feller⁶⁹ reported on operations with particular regard to difference between controlling resolutions. Minutes record his saying "The Council was being asked to reconcile these differences at its next session". No vote of any kind was taken.

Repeated to Moscow as Dept 1810.

BYRNES

⁶⁸ Not found in Department files.

⁶⁹ Abraham H. Feller, General Counsel of UNRRA.

840.50 UNRRA/8-1445 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, August 14, 1945—noon.

[Received 3:44 p. m.]

8213. Re Embassy's 8016 to Dept and 279 to Moscow. Further consideration by US delegation of proposed draft resolution on displaced persons unwilling to return immediately to their countries has resulted in following draft:

1. "In addition to the authority provided in Resolution 1, Part II (2) Resolution 57 and Resolution 60 the administration is authorized to carry out the operations for care contemplated in such resolutions pursuant to agreements reached between the govts exercising administrative authority in the areas in which the displaced persons involved are located and other govts concerned for the care of displaced persons and as to conditions under which such persons shall be repatriated, returned to their homes or removed to other areas. Prior to the conclusion of such agreements the administration is authorized to care for the displaced persons concerned.

2. The authority of the administration provided in the foregoing paragraph with respect to operations in any area shall be reviewed by the Council or the Central Committee at the end of 6 months from the date of the assumption of responsibility by the administration for such operations in such area.

3. The administration is authorized to make agreements with the govts or occupying authorities in control of areas of Germany for the care or transportation of displaced persons provided that the basic supplies, equipment and transportation whether indigenous or imported necessary for the care and transportation of displaced persons within Germany shall not be a charge on the resources of the administration."

Will appreciate Dept's comments and an answer to questions in paragraph 1 of telegram under reference not yet received.

Sent Dept as 8213, repeated to Moscow as 293.

WINANT

840.50 UNRRA/8-1545 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, August 15, 1945—7 p. m.

[Received August 15—4:30 p. m.]

8283. 1. Yugoslav delegation presented following resolution for consideration by the UNRRA Council which I assume would be covered if our over-all resolution on Italy were adopted:

"Whereas special conditions exist in liberated territories which are defined by the agreement between the Yugoslav Govt and the repre-

sentatives of the Allied Forces Headquarters Mediterranean Theatre of Operations in Devin ⁷⁰ June 16, 1945,⁷¹ and

Whereas they were liberated by the active participation of their population in the armed struggle against Fascism since 1941 and it being desirable that the administration should operate in these territories, and

Whereas the Allied military authorities recognize the character of these areas; it is therefore

Resolved: That territories which have been defined by the agreement between the Yugoslav Govt and the Allied Forces Headquarters Mediterranean Theatre of Operations of June 16, 1945 be considered as liberated territories within the meaning of Part I, Resolution 1 ⁷² and the Administration is hereby authorized to operate in such areas in agreement with the authorities which administer these areas upon the terms and conditions as in other liberated areas."

2. Proposal has obvious political implications. We will make every effort to delay action until your comments and instructions are received. Please reply urgently by tomorrow night if possible, because matter is scheduled for committee discussion presumably final on Friday morning.⁷³

Sent to Dept as 8283, repeated to Rome for Kirk from Clayton as 81.

WINANT

840.50 UNRRA/8-1545 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 16, 1945—11 a. m.

6929. Department believes every effort should be made to defer consideration Yugoslav resolution reported in your 8283, August 15 until Council acts on overall resolution on Italy.⁷⁴ If unable to defer you should vote against it. Italian resolution would incorporate provision for area covered by Yugoslav resolution, which area in our opinion should receive no better and no worse UNRRA treatment than Italy as a whole. Our position is sovereignty of area must not be compromised until decided by peace treaty.

Sent to London as Depts 6929, repeated to Rome as Depts 1366.

BYRNES

⁷⁰ This town was called Devin by the Yugoslavs and Duino by the Italians.

⁷¹ For documentation regarding U.S. concern over the control of Venezia Giulia, see vol. iv, pp. 1103 ff.; for specific information on this agreement, see telegram 2643, June 16, 8 p. m., from Caserta, *ibid.*, p. 1186.

⁷² For text, see Woodbridge, *UNRRA*, vol. III, p. 42.

⁷³ August 17.

⁷⁴ Reference here is to Resolution 73; for text, see Woodbridge, *UNRRA*, vol. III, p. 143.

[On August 23, 1945, the UNRRA Committee on Policy considered the Yugoslav resolution. "The Committee agreed that it was desirable that the inhabitants of the area in question (territories defined by the agreement between the Yugoslav Government and the Allied Forces Headquarters, Mediterranean Theatre of Operations, of June, 1945) should receive relief and rehabilitation assistance from the Administration; the discussion turned solely on the point whether any further resolution was necessary for this purpose, in view of the adoption of the two previous resolutions relating to Italy and Austria and of the fact that Yugoslavia was already in receipt of relief and rehabilitation assistance from the Administration. The matter was put to a vote, and the Committee decided against the adoption of the proposed Resolution." (United Nations Relief and Rehabilitation Administration, *Journal, Third Session of the Council, London, England, August 7-25, 1945*, page 119.)]

840.50 UNRRA/8-1445 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, August 16, 1945—noon.

6930. First two numbered paragraphs of revised draft resolution on displaced persons quoted in your 8213, August 14, acceptable to Dept. Paragraph 3 is unclear. Difficulty is that "resources" may refer either to supplies or to funds. Therefore, paragraph might be interpreted as preventing UNRRA using its own supplies in caring for said DPs. We assume it is intended to relate to ultimate payments in accordance with general principles governing imports into Germany. Provision is acceptable if clarified along latter line.

BYRNES

840.50 UNRRA/8-1645 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 16, 1945—2 p. m.
[Received 5:30 p. m.]

8288. For Thorp, Vincent and Moffat from Clayton.

1. Far Eastern Council Committee of UNRRA will probably meet early next week with either Gilpatric or myself in attendance. I assume that Soviets will be elected to membership at that time. Major point of discussion in view of prospective end of war in Pacific will be UNRRA program of operations and consideration of UK and Aus-

tralian insistence that Far Eastern Regional Office be organized along line of Regional Office in London.

2. China definitely opposed to UNRRA FERO on ground that almost entire UNRRA effort will be concentrated in China as compared with several missions of equal stature operating in Europe. We expect agreement that Office of Director General Secretariat and activity of COFE (Committee for the Far East) will be established in some part of liberated China as soon as practicable but share Chinese view that FERO would lead to administrative difficulties and prestige problems with various countries in furnishing top personnel for it. We have thus far taken the line that question was primarily one for administration to solve. Jackson⁷⁵ here and Hendrickson in Washington seem to be the only two UNRRA officials favoring UK plan. Neither of these officials has been thus far concerned in UNRRA Far Eastern planning.

3. Advice from you is requested as to whether we should associate ourselves with Chinese insistence that no FERO be established or whether question should be postponed pending clarification of many relevant relief and supply policy questions when hostilities cease. We assume that you would agree with our tentative position that UK proposal for a FERO immediately should be resisted.

Sent to Department as 8288 repeated to Moscow as 295 and Chungking as 13. [Clayton.]

WINANT

840.50 UNRRA/8-1645 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 18, 1945—1 p. m.

6992. For Clayton from Thorp, Vincent and Moffat. Urtel 8288, August 16. We recommend full support of Chinese view opposing establishment FERO. At later date if British, French or Dutch request UNRRA aid their areas and UNRRA operations are permitted Thailand, and if regional coordination found necessary consideration might then be given to establishing senior deputy director's office at some point from which he could supervise branch offices and pass on matters not requiring central office decision. It must be remembered, however, that lines of communication are more effective between various Asiatic points and Washington than between such points and most problems will relate to supplies requiring Washington action.⁷⁶ [Thorp, Vincent, Moffat.]

BYRNES

⁷⁵ Robert G. A. Jackson, Senior Deputy Director General of UNRRA.

⁷⁶ No Far Eastern Regional Office was established in UNRRA.

840.50 UNRRA/8-2245 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 22, 1945—8 p. m.

[Received 9 p. m.]

8544. My telegram 8499, August 22.⁷⁷ For the Secretary, Thorp, Phelps⁷⁸ and Wilcox⁷⁹ from Clayton. Following my telephone conversation with you Monday⁸⁰ events in the United Nations Relief and Rehabilitation Administration Council have rapidly come to a head. The Council today formally approved the Italian and Austrian resolutions⁸¹ as passed yesterday in the committee on policy. The Council will tomorrow consider the question of Korea, the enlargement of the Central Committee and the report of the Committee on Financial Control regarding the auditors report.⁸² The major issue of additional contributions regarding which no proposals have yet been made in any committee meeting is scheduled to be taken up Friday⁸³ which will be the concluding day if all goes well.

Meanwhile I have been in constant touch with the Russians, British and Canadians regarding the Russian request for 700 million dollars and its relation to additional contributions. The Russians recognizing I believe that they could not get definitive action here have privately suggested several resolutions which would leave the door open for them to press their case subsequently in United Nations Relief and Rehabilitation Administration and the Central Committee. Moreover they have shown signs of weakening with respect to the full 700 million dollars.

The British, Canadians and we have prepared as a final position the following documents which carry out the proposal which I outlined to you on the phone:

1. Draft resolution on further contributions.

[Here follows text of a draft resolution on further contributions to UNRRA.⁸⁴]

⁷⁷ Not printed.

⁷⁸ Presumably Dudley M. Phelps, Chief of the Division of Foreign Economic Development.

⁷⁹ Clair Wilcox, Director of the Office of International Trade Policy.

⁸⁰ August 20.

⁸¹ For discussions concerning Italy and Austria, see *Journal of the Third Session of the Council*, pp. 100-117; texts of the Resolutions approved by the Council, Nos. 73 and 74, are in Woodbridge, *UNRRA*, vol. III, pp. 143-144.

⁸² See *Journal of the Third Session of the Council*, pp. 120-122.

⁸³ August 24.

⁸⁴ The text of this draft was virtually identical with Resolution 80 as passed by the Third UNRRA Council. For the introduction of the resolution by the U.S. delegate and the discussion prior to the vote, see *Journal of the Third Session of the Council*, pp. 123-130; text of Resolution 80 is in Woodbridge, *UNRRA*, vol. III, p. 146.

2. Draft letter to the Soviets from the United States, United Kingdom and Canadian members of the United Nations Relief and Rehabilitation Administration Council.

"The United States, the United Kingdom and Canadian delegations have given very careful consideration to the draft resolution with respect to the distribution of United Nations Relief and Rehabilitation Administration supplies which you handed to us 2 days ago and which we discussed with you last evening.

We have concluded that this matter might best be handled in the over all resolution on additional financial contributions which must be adopted by the Council if activities of United Nations Relief and Rehabilitation Administration are to be continued and completed.

There is attached a copy of the draft resolution which we have prepared in order to make it possible for the three of us to recommend to our respective Govts that they each make available their share of the requisite funds.

As we indicated in our conversation last evening we believe it absolutely essential if we are to obtain the money that our Govts should be able to demonstrate to their legislatures that there will be provided a more effective type of control over the use of these funds than has existed in the past.

It is our understanding that if this resolution is adopted by the Council the application of the United Soviet Socialist Republics for United Nations Relief and Rehabilitation Administration assistance will after the Council meeting be replaced by applications on behalf of the Ukrainian and Byelo Russian Soviet Socialist Republics. These new applications will of course be considered by appropriate committees to be established in accordance with Resolution 23. We are satisfied from what you have told us that the facts will permit the United States, United Kingdom and Canadian representatives on such committees if the additional funds contemplated in the resolution are made available by the three principal subscribing govts to support the eligibility of the two republics for receipt of free assistance in the amount of 250 million dollars for the two together.

We need hardly assure you that we are making this proposal because in our opinion it is the only one which will enable us to secure further funds for United Nations Relief and Rehabilitation Administration and also to provide the assistance referred to in the previous paragraph.

We hope therefore that you and your Ukrainian and Byelo Russian colleagues will be able to accept the arrangements set out in this letter and that therefore you and they will be able to associate yourselves with the passing of this financial resolution through the Council."

3. Draft reply by the Soviets.

"I wish to inform you that we have considered the letter of August 22 signed by the members of the United Nations Relief and Rehabilitation Administration Council representing the United States, the United Kingdom and Canada and that we will support the resolution on additional contributions to United Nations Relief and Rehabilitation Administration which was attached to that letter.

You are further informed that I have consulted with the delegates of the Byelo Russian and Ukrainian delegation and we accept your suggestions of action on applications for assistance from United Nations Relief and Rehabilitation Administration."

Only the draft resolution has been handed to the Soviets this afternoon. Recommendation 4 is an effort to meet their proposed texts and we have indicated that we would gladly drop it. We all set a great deal of importance on recommendation 2.

I have made it entirely clear that our support of such a resolution in the Council is subject to our reaching a private understanding with the Soviets regarding their request for United Nations Relief and Rehabilitation Administration assistance, and that any additional United States contribution is of course subject to congressional action. I then orally outlined the proposal regarding up to 250 million dollars for the Ukraine and White Russia as contained in the draft letter to Sergeev. I stated that I could not make such a draft letter to Sergeev. I stated that I could not make such a proposal definitely without your approval and that while you knew in general of my views regarding such a proposal you had expressed neither approval nor disapproval. The British told the Soviets that they also would have to receive ministerial approval. (Following the receipt of the information regarding continued shipments from the Lend Lease pipeline pending mutual agreement on terms contained in your 7056 of August 20⁸⁵ Bevin and Dalton have as a matter of fact somewhat reluctantly approved full British participation in additional contributions of one percent to United Nations Relief and Rehabilitation Administration provided the above resolution and proposal regarding 250 million dollars are accepted by the Soviets. The Canadians have full authority to accept these arrangements.)

The Soviets at first argued about the 700 million dollars; then tried to broaden recommendation 4; but finally as we remained firm agreed to cable to Moscow our final position provided that I would simultaneously request your approval to make my proposition definite in the event of Moscow's agreement and that the British would also seek ministerial approval. It was agreed that we would all seek definitive instructions by Friday morning London time.

It is my belief and that of the British and Canadians that the Soviets are definitely weakening and probably will agree to trade on the basis we put forward. I accordingly request authority to make the arrangement which I have outlined above provided the Soviets agree. [Clayton.]

WINANT

⁸⁵ Printed in vol. VI, section under United Kingdom entitled "Continuation of informal and exploratory discussions regarding postwar economic policy . . ."

840.50 UNRRA/8-2345

Memorandum by the Director of the Office of International Trade Policy (Wilcox) to the Adviser to the War Areas Economic Division (Dort)

[WASHINGTON,] August 23, 1945.

I am attaching a personal letter from Mr. Carl B. Spaeth, Acting Diplomatic Adviser of UNRRA, regarding the current situation of UNRRA relief in Yugoslavia. Would you please see that this letter reaches the interested officers, not only in your Division, but also in SE.⁸⁶ As I understand Ambassador Patterson is now in Washington, it might be helpful to see that his attention is drawn to this statement of the issue, as presented by Mr. Spaeth.

[Annex]

The Acting Diplomatic Adviser to UNRRA (Spaeth) to the Director of the Office of International Trade Policy (Wilcox)

WASHINGTON, 20 August, 1945.

DEAR CLAIR: As you know, there have been charges from time to time that UNRRA relief in Yugoslavia is being distributed on a discriminatory basis, and it is true that until recently we have had difficulty making arrangements for our own observers to follow the distribution process. However, the Yugoslavian Government recently granted the necessary permits to our observers, and we have now had a cable from our mission in Belgrade of which the following is a close paraphrase:

"Observers free to move within their assigned areas. Temporary difficulties experienced on account of passes and lack of personnel transport now overcome. Observation of distribution in all states receiving UNRRA supplies has been continuous. Because of transport difficulties it has not been physically possible to distribute supplies equitably to all areas of need. For example, Dalmatia, because of proximity to ports, has received greater share than Bosnia, North Croatia, and Slovenia. This situation now improving due to improved rail communication, arrival of additional motor transport and use of Sibenik and Trieste as receiving ports. *In all areas observers give no evidence of discrimination though because of autonomy of local government units in distributing supplies methods vary somewhat between different localities.* General situation to date is that supplies have been far short of actual need in all areas and distributions have had to be sporadic. In many ports supplies so small as to permit only small distribution to small percentage of population classified as being in greatest need. *No evidence of any discrimination and any discrimination in so classifying.* Main criticism is lack of information from Central Government on distribution plans and policy.["]

⁸⁶ Division of Southern European Affairs.

In view of the fact that Ambassador Patterson and others of the Department have expressed concern about the charges of discrimination, you may wish to draw this letter to their attention.

Sincerely yours,

CARL B. SPAETH

840.50 UNRRA/8-2345 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 23, 1945—4 p. m.

7190. For Clayton. I had not thought that it is necessary to give UNRRA assistance to the Soviets and believe they should take care of their needs through credit facilities. My preference would be that the proposal in your 8544 August 22 be reconsidered. However, if you believe after going into the case thoroughly that acceptance of the arrangement is the only feasible course in the circumstances you are authorized to proceed accordingly.

BYRNES

840.50 UNRRA/8-2445

*Memorandum by the Chief of the War Areas Economic Division
(Gilpatric⁸⁷) to the Assistant Secretary of State (Clayton)*

[LONDON,] August 24, 1945.

I think it wise to confirm the several discussions and conclusions of the Delegation on the subject of the Displaced Persons Resolution as finally passed by the Council.⁸⁸ You will recall that in the draft which we presented to the Policy Committee and that in the British draft which was ultimately revised as the final document, we took the position that the authority of UNRRA to care for displaced persons in ex-enemy areas, with or without the express permission of the governments of origin concerned, was limited to six months, on or before which time the matter would be reviewed by the Central Committee. This decision means that while we all hope UNRRA activities with regard to displaced persons can be liquidated within six months, we are postponing decision as to extension of such activities beyond that time until more facts and details are at hand. I think I am right in stating here that our position was unanimously approved by all of the Delegation who were in London at the time final action was taken.

⁸⁷ Mr. Gilpatric was also adviser to and executive secretary of the U.S. delegation to the Third Session of the UNRRA Council, London, August 7-25, 1945.

⁸⁸ For text of Resolution 71, see Woodbridge, *UNRRA*, vol. III, p. 142. For the discussion prior to the vote, see *Journal of the Third Session of the Council*, pp. 86-92; a summary is given in Woodbridge, *UNRRA*, vol. II, pp. 486-487.

Several members of the Delegation have pointed out that the position which we have accepted on displaced persons, as outlined above, is at some variance with the understanding reached earlier in our deliberations that we would put a definite limit of six months on UNRRA D.P. operations. I personally do not remember that we reached any irrevocable decision of this nature, and I am sure that I would have personally not concurred because, while I am just as anxious as anyone else to get UNRRA out of the displaced persons operations, I do not think, on the basis of information presently available, that we can set any such definite time limit without the possibility of finding a residual responsibility and no machinery to cope with it. I do think that we all agree that UNRRA should get out of D.P. operations as quickly as ever possible, and if you are in accord, I propose to inform the British and other key governments interested that, in following through on the resolution which the Council passed we do propose to seek termination of UNRRA's D.P. responsibilities when the situation is reviewed at the end of six months, unless there are compelling justifications for UNRRA continuing such activities. If such is the case, our position will also be that continuation is on a strict *ad hoc* basis.

840.50 UNRRA/8-2945 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, August 29, 1945—3 p. m.
[Received August 30—1 : 12 a. m.]

3098. I have not seen the recent interchange of cables with Clayton which led up to the decision referred to in circular August 24, noon⁸⁹ that UNRRA would recognize allocations of the Ukrainian and Byelorussian republics together up to 250 million dollars.

I concurred with the Department's thought that it is unnecessary to give the Soviets UNRRA assistance and that their needs should be taken care of through credit facilities. It is therefore not clear to me why it is advisable to deviate from this opinion.

From a political standpoint if UNRRA assistance is to be given to the Soviets I would consider it far better to do so direct to the Soviet Government rather than to become involved in the fiction that the Ukrainian and Byelorussian republics are independent economic units. This Embassy has no information to justify such a conclusion. I am fearful that the precedent of accepting the theory of their economic independence will be used to our detriment in political or other questions in the future. In addition if it is decided that UNRRA

⁸⁹ Not printed.

shipments should be made to the Soviet Union I feel that they should be made on a reimbursement basis.

On the question of whether UNRRA assistance should be made to the Soviets at all I feel I should expand the reasons given in my No. 2820 August 9, 3 p. m.

Preliminary reports indicate that the over-all Russian food situation will be better during the next 12 months than in the past in spite of the loss of lend-lease shipments. Part of this is due to the extraction by the Soviets of agricultural products including livestock from Soviet occupied and liberated areas and the fact that the occupying Russian armies live off the land. In addition the Soviets are making trade agreements with the neighboring countries under their political control without regard to their effect on the economic conditions in the west. As a result of these Soviet policies we are faced in Germany and Austria with the necessity of importing food from the west as against obtaining it from these countries themselves or from the countries from which agricultural products had normally been obtained. We find ourselves therefore forced to furnish food to several countries either directly or through UNRRA.

If the Soviets had cooperated in reestablishing normal interchange of goods in Europe I would have taken a different view of UNRRA assistance to the Soviet Union. As they have not agreed so far to this policy and are unlikely to do so it seems we should protect United States interests by offsetting our obligations in other parts of Europe through declining UNRRA shipments to the Soviet Union.

I am not familiar with the items other than food which the Soviets are requesting from UNRRA. In this connection I feel we should bear in mind that the Russians are stripping the occupied countries of large quantities of clothes, agricultural machinery and plant equipment et cetera under the guise of war booty. The effect of this in Germany and Austria will be to increase the difficulties in reestablishing economic life on a self-sustaining basis and add to the cost to the United States in this connection.

Another aspect of the problem is the fact that the Russians in spite of the shortage of labor on the farms and elsewhere are maintaining an enormous military establishment. Only 13 classes are to be demobilized before the end of this year—55 to 43 years of age. I hear repeated stories of the discontent of the Russian people over their not obtaining more consumer goods. UNRRA aid may well tend to permit the Soviet authorities to maintain a larger army than they otherwise would by assisting to fill the gap which the Russian people appear to be demanding for a more comfortable existence.

I realize there may be many reasons with which I am not familiar that have led Clayton to make his recommendation. On the other hand before final decision is reached I hope our over-all relations with

the Soviet Union will be given full weight. Having observed carefully the effect on the Soviet Government of our generous lend-lease policy over the past 4 years I have not found that we have obtained any benefit in good-will on the part of the Soviet Government in connection with their actions which affect our interests. During the war we have obtained in my opinion full value for our lend-lease shipments through the strengthening of the Soviet war effort. However now that the war is over I see no gain to the United States in dealing with the Soviets on any other than a realistic reciprocal basis. I have found in my experience that such a policy is understood and respected by the Soviet Government and is more apt to obtain reasonably satisfactory results.

I have discussed this message with General Deane⁹⁰ and he concurs.

Sent Department as 3098, repeated London to Winant for Clayton as 428.

HARRIMAN

840.50 UNRRA/9-545 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, September 5, 1945—6 p. m.

[Received 10:15 p. m.]

9075. Moscow's 3098 to Department⁹¹ concerning the USSR application for UNRRA aid has been repeated to us. We have following comments:

I. 1. The Soviet application was not surprising. We understand that Soviet representatives had some time ago informally inquired of UNRRA regarding possible assistance for USSR but did not pursue this when it was clear that because of shipping limitations relief goods could only be sent at expense of lend-lease war materials.

2. The Soviet were fully entitled to make an application within the terms of UNRRA agreement and council resolutions. It would have been inconsistent with obligations of member countries if one of them had arbitrarily intervened to try to prevent consideration from being given to a Soviet request.

3. The argument that any Soviet request should be turned down in advance on the simple ground that the Soviet should finance all it needs by credits cannot be sustained. Ability to obtain credits does not necessarily disqualify a country from UNRRA aid. Some areas which are getting UNRRA aid are already or may soon be able to get loans for reconstruction purposes. UNRRA aid is for relief and early rehabilitation only.

⁹⁰ Maj. Gen. John R. Deane, Head of the U.S. Military Mission in the Soviet Union.

⁹¹ *Supra*.

4. The argument that Soviet should be refused aid on basis of reports of Soviet removals of goods from eastern territories would apply with much more force against credits than against consideration of UNRRA aid. The *quid pro quo* for credits is future repayment. The *quid pro quo* for UNRRA aid is factual demonstration of relief needs.

II. 5. But the issues raised by the Soviet request went much further. It is a fact that no other Allied civilian population suffered hardships and devastation comparable to what the Soviet endured, that no other Allied Army lost so many men as they did and that no other Allied war workers lived and worked on such meager rations as they received. If we were generous in supplying them with goods they were generous in sacrificing lives and homes to speed the success of the common cause.

6. In face of these facts we believe it would have been disastrous if the US had taken the position during the Council meeting that full and free relief should be supplied to two countries which fought against us and our Allies and at the same time the Soviet request to rally [*to be summarily?*] rejected.

7. If refused, the Soviet could have appealed to the Council and widespread publicity would have been given to this evidence of Allied disunity. The ordinary person everywhere would have pointed to the readiness of the US to give UNRRA free goods for ex-enemy countries and their refusal to support the same treatment for one of our two great Allies which had suffered unparalleled losses.

8. We are convinced that Mr. Clayton acted wisely and to the minimum extent necessary to avoid a complete impasse and we would urge support of his recommendation.⁹²

Sent to Department, repeated Moscow 315.

WINANT

840.50 UNRRA/8-2945 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, September 8, 1945—noon.

1978. Reurtel 3098.⁹³ Factors involved in the decision on UNRRA assistance to the Ukrainian and Byelorussian S.S.R.'s included:

1. These republics had definitely been granted separate membership in the United Nations organization at San Francisco,⁹⁴ had to be

⁹² On September 25, 1945, the Subcommittee under Resolution 23 agreed to the allocation of \$61,000,000 to Byelorussia and \$189,000,000 to the Ukraine. For information on the carrying out of the program, see Woodbridge, *UNRRA*, vol. II, pp. 233 ff.

⁹³ Dated August 29, p. 1022.

⁹⁴ See *Conferences at Malta and Yalta*, pp. 947, 966-968, 976, 990-992; also *Foreign Relations*, 1945, vol. I, index entry under United Nations Organization: Membership, p. 1608.

granted separate membership in UNRRA, and presumably will be granted separate membership in other United Nations organizations. This is a political decision that admittedly has little economic justification.

2. Having made the political decision, any UNRRA aid to these geographical areas, where most of the devastation and distress exist, would have to be extended to these republics.

3. Some of the economic arguments for any assistance to any part of Russia—pros and cons—were included in Clayton's tel of August 6 from London.⁹⁵

4. Russia, it is true, has substantial gold holdings, credit potentialities, and—most important—a great power of recuperation. On the other hand, Russia, especially in the two republics, has made greater physical sacrifice, suffered more devastation, and lowered its already low standard of living below that of any *repeat any* European nations.

5. The availability of external credit is not regarded under the UNRRA plan established at Atlantic City in 1943 as a necessary reason for denying free assistance. Resolution 14, Section 18 states:

"It shall be the policy of the Administration that an applicant government shall not be required to assume the burden of an enduring foreign exchange debt for the procurement of relief and rehabilitation supplies and services."

6. The Russian case differs only in a matter of degree from those of Poland, Czechoslovakia, and China. China has substantial gold and dollars, already has received large U.S. credits, will receive additional credits, and always has been considered a proper recipient of UNRRA aid. We are now considering reconstruction credits to Poland and Czechoslovakia.

7. The UNRRA administration had let it be known that it had always considered Russia eligible for UNRRA assistance.

8. The unfortunate publicity re Russian request would have made a flat turn-down politically very difficult.

9. The *Washington Post* and other U.S. papers had favored UNRRA aid to Russia.

10. The Canadian delegate⁹⁶ publicly favored aid to Russia, and moreover stated that the Canadian people would regard a turn-down as an indication of strong anti-Soviet attitude, which might jeopardize Canada's further financial participation in UNRRA.⁹⁷

11. The termination of lend-lease⁹⁸ hardened the attitude of the Russian delegates.

⁹⁵ No. 7910, p. 1003.

⁹⁶ Lester B. Pearson.

⁹⁷ See telegram S010, August 9, 2 p. m., from London, p. 1006.

⁹⁸ Transfer of materials under straight lend-lease terminated at 12:01 a. m. on September 2, 1945. On general termination of lend-lease, see vol. VI, pp. 1 ff.; for documentation on the lend-lease program to the Soviet Union, see vol. V, pp. 937 ff.

12. The Russian argued privately that the contrast between our attitude on Italy and Austria, and on Russia was intolerable and threatened to bring this point before the Council.

13. Clayton became convinced that Russia would break up UNRRA, by forcing some form of Council action on the Soviet proposal, and by vigorously opposing the Italian action which was essential to Congressional approval of the additional contribution to UNRRA, unless some trade was made. The Russians insisted on their full request of \$700 million right up to August 24.

14. It was found possible to provide \$250 million out of the funds of UNRRA—including the additional one percent contribution—without reducing other programs and giving Italy and China the amounts we had proposed.

15. Clayton had offered to recommend the solution finally agreed to the Department provided the Russians withdrew their large request, admitted Italy,⁹⁹ agreed to go through all of the UNRRA procedures including the arrangements for UNRRA missions in their areas, and permitted the establishment of effective program control over all UNRRA operations. This the Russians, on August 24, agreed to, and it became possible amicably to finish up that day the work of the UNRRA Council meeting with resolutions enabling a satisfactory completion of its job in Europe and the Far East.

16. We thus felt the whole UNRRA negotiation with the Russians had been quite successful, and that the entire results of the Council meeting had been rather better than we had hoped for.

Dept recognizes that this incident was only one step in a broad series of political and economic dealings with the Russians. We did protect all of the UNRRA principles, saved UNRRA, and at the same time achieved an understanding with Russia whereby her continued pressure for additional aid from UNRRA should be entirely eliminated, and her request very substantially cut down. Dept is moving to implement item XX of the Berlin Protocol re Eastern Europe,¹ and is separately instructing you and General Draper² re reparations. Other economic conditions are being drawn up for inclusion in any Eximbank credits to Russia along lines of Clayton's Potsdam memo to you.³

ACHESON

⁹⁹ Reference here is not to the admission of Italy to membership in UNRRA, since Italy never became a member nation, but rather to agreement to Resolution 73 of the Third UNRRA Council, "A Resolution Relating to a Program of Relief and Rehabilitation in Italy"; for text, see Woodbridge, *UNRRA*, vol. III, p. 143.

¹ For text, see *Conference of Berlin (Potsdam)*, vol. II, p. 1497.

² Brig. Gen. William H. Draper, Jr., Director of the Economics Division of the U.S. Group, Control Council for Germany. See telegram 1964, September 6, 7 p. m., to Moscow, vol. III, p. 1283.

³ Not printed.

840.50 UNRRA/9-1045 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, September 10, 1945—6 p. m.
[Received September 11—7:10 a. m.]

330. Department may wish to invite personal attention of Director General Lehman of UNRRA to fact that Soviets continue to capitalize UNRRA deliveries to Zecho as though they were gifts from Soviet Union. This they are enabled to do partly because physical deliveries have been arriving from east via Constanza, partly because UNRRA's chief representative in Zecho is Soviet citizen who is in charge of deliveries,⁴ and partly because Zecho Minister [*Ministry?*] of Information which controls press, radio and all other means publicity is more or less controlled by Communists. As result this most unfortunate combination of circumstances Zecho public has never been informed that UNRRA is 72% American and that Soviet is not even a contributing member. At no time insofar as I have been able to ascertain has any reference been made either by Alexejev or Czech press or radio to fact that UNRRA is primarily dependent on U.S. and [apparent omission] Soviet method of capitalizing UNRRA deliveries to Zecho is a public ceremony to be held in Praha today on occasion of delivery of 1250 trucks and at which Alexejev will speak. If he pursues his customary course by failing to make any reference to participation of U.S. or other countries in UNRRA and is surrounded on occasion of presentation in public by numerous Russian generals and other high Russian officials, impression will continue to prevail among uninformed public that people of Zecho are beholden to Soviet Union for what UNRRA does. On a previous occasion a train arriving from east with UNRRA deliveries was covered with Soviet flags and banners. At public demonstration to greet the train numerous speeches were made thanking Soviet Union for its bounty.

STEINHARDT

840.50 UNRRA/9-1245 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, September 12, 1945—9 p. m.
[Received September 13—8:46 a. m.]

339. In connection with any request the Soviet Government may have made or may make of UNRRA for assistance it should perhaps be taken into consideration that UNRRA is already extending sub-

⁴ Peter I. Alekseev, Chief of the UNRRA Mission in Czechoslovakia.

stantial assistance to the Soviet Union in that most of the supplies UNRRA is furnishing to Czechoslovakia merely replace a part of the much larger quantities of livestock, food and equipment the Soviet Army continues to remove from the territory of its Czech ally.

STEINHARDT

840.50 UNRRA/9-1445 : Telegram

The Acting Secretary of State to the Ambassador in Poland (Lane)

WASHINGTON, September 14, 1945—8 p. m.

105. Circles here unfriendly to expansion UNRRA relief to Poland state (1) UNRRA articles for sale commercially at inflated prices in Poland, (2) very heavy pilferage and deflection UNRRA railway shipments, and (3) much UNRRA material used or required to replace Polish articles removed from Poland as war booty by Soviet authorities.

Please cable briefly your comments and forward urgently detailed report by air mail.

ACHESON

840.50 UNRRA/9-1045 : Telegram

The Acting Secretary of State to the Ambassador in Czechoslovakia (Steinhardt)

WASHINGTON, September 21, 1945—8 p. m.

252. Reur 330 September 10. Department has taken up with Governor Lehman problem of UNRRA mission in Zecho giving color to reports that UNRRA deliveries are gifts from Soviet Union. Lehman stated that he would take immediate steps to see that this situation was corrected. It might at the same time be appropriate for you to raise this same point with officials of Zecho Govt if you believe Zecho Govt might assist in informing the Zecho public on true situation.

ACHESON

840.50 UNRRA/9-2445 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, September 24, 1945—2 p. m.
[Received September 27—10:45 p. m.]

286. Following are answers to questions Department's telegram 105, September 14 based on observations Embassy staff and reports from reliable sources:

1. Certain UNRRA articles have been placed on sale in the open market at exaggerated prices but this practice according to UNRRA

representatives here has ceased at their request (see my telegram 200, September 5 for Lehman ⁵).

2. Pilferage has been reported particularly in connection with supplies arriving through Constanza but it is reported that much of this pilferage had taken place prior to arrival of shipments in Poland. It is expected that this situation will improve now that UNRRA ships are arriving at Danzig-Gdynia. Embassy has no reports of deflection of UNRRA railway shipments within Poland but it must be recognized that this risk exists. For example, it is reported that shipments of coal destined to Warsaw and other cities are sometimes forcibly re-routed by Russians to USSR.

3. There is no doubt that much of the UNRRA material expected here will be required to replace articles removed as war booty by Soviets. It is reported that western Poland and other areas have been stripped by the Soviets of all farming and dairying machinery (see my telegram 182, August 31 ⁶ re conversation with Mikolajczyk). Wholesale pillaging (see my telegram 133, August 24 reporting Vice President Grabski's opinions ⁷) appears to be dwindling, probably because there is little left to pillage; nevertheless Embassy still receives sporadic reports of such activity on part of Russians.

Polish officials are aware of whereabouts in Germany of Polish livestock removed from country by Germans (see my airgram A-21, August 31 ⁸) but they are reluctant to have them returned to Poland for fear they will be seized by Soviets. If these fears are well founded there is certainly the possibility that some of the livestock imported by UNRRA would suffer similar fate.

UNRRA representatives here report Polish authorities very willing to comply with UNRRA's suggestions regarding distribution and dis-

⁵ Not printed.

⁶ Not printed; it summarized the Ambassador's first private talk with Stanislaw Mikolajczyk, Deputy Prime Minister and Minister of Agriculture and Agrarian Reform in the Polish Provisional Government of National Unity, covering several subjects. Feeling was reported to be rising against the Soviet Army because of its lawlessness, and the Poles were said to be unwilling to re-settle areas occupied by the Red Army for this reason. Mikolajczyk had complained about this situation to Marshal Konstantin Konstantinovich Rokossovski, Commander of the Soviet Northern Group of Forces, who claimed that army deserters alone were responsible for the trouble. Mikolajczyk did not believe this was true. (860C.00/8-3145)

⁷ Not printed; the Ambassador reported on a conversation held August 23 with Stanislaw Grabski, Vice President of the National Council of the Homeland in the Polish Provisional Government of National Unity. Grabski talked of the increasingly serious situation, especially in western Poland, due to Soviet pillaging and related an incident of looting which had befallen his daughter at her home in Krakow. The conversation also dealt with several other topics. (860C.00/8-2445)

⁸ Not printed; it transmitted information received from an official of the Polish Ministry of Agriculture, who stated that of 3,900,000 horses in Poland at the outbreak of the war only 500,000 remained. The Soviets had seized 100,000 horses in the Poznan area alone and still continued the practice. Furthermore, the Polish official maintained, the Soviet forces drove livestock into the Russian zone of Germany from Poland and sent them thence into the Soviet Union as war booty from Germany. (860C.62211/8-3145)

posal of supplies. No difficulty therefore is perceived from this quarter but, as long as Soviet troops continue in Poland in sizeable strength as at present, it should be borne in mind that the Polish Government's control over such matters is more theoretical than actual.

Air report follows together with comments on effect of UNRRA activities on commercial transactions.⁹

LANE

840.50 UNRRA/9-2945 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, September 29, 1945—noon.

[Received 12:48 p. m.]

397. Your 252, September 25 [21]. Adair of UNRRA has arrived in Praha to investigate reports that UNRRA deliveries to Zecho are being given color of gifts from Soviet Union and that the non-Soviet staff of UNRRA in Zecho is not competent to deal with this situation. He informed me today that he had already learned enough to cause him to recommend a reorganization of UNRRA's activities in Zecho and of the staff. He feels and I agree that as it would be politically inadvisable to replace Alexjev as Chief of UNRRA mission at this time, other available corrective measures should be resorted to.

I doubt the Czech Government can materially assist in informing the public of the true situation as long as the Ministry of Information which controls the press and radio is dominated by Communists. On the other hand if corrective measures contemplated by Adair are made effective promptly it will be possible to inform the Zecho public of the true situation thru prominent individuals connected with the Government.

STEINHARDT

840.50 UNRRA/10-245 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, October 2, 1945—4 p. m.

[Received 10:30 p. m.]

408. Detailed evidence has been submitted to me today indicating that the Soviet military forces occupying Brno, the second largest city in Czechoslovakia, have been receiving substantial quantities of UNRRA food shipments to Czechoslovakia. The evidence estab-

⁹ Not printed.

lishes that between July 31 and August 11, 238 cases of canned meat were delivered to the Soviet military authorities in Brno by the "Treasurer for the Cattle and Meat Markets", a non-profit cooperative organization of all of the meat dealers of the city created by the Germans during their occupation of Brno and now operated by a national administrator for the Czechoslovak Government. My informant states that it is "common knowledge" in Brno that substantial quantities of UNRRA supplies intended for Czechoslovakia are sent to the Soviet Union either before or after they reach the city and that there is every reason to believe that an arrangement was made some time ago between the food authorities in Brno and the Soviet Forces of Occupation under which the city is exempted from part of the fresh meat deliveries to the Soviet Army which would otherwise be required in exchange for the delivery to the Soviet armed forces over a period of time of UNRRA canned meat. My informant added that although the local press in Brno has repeatedly given publicity to "Soviet contributions to UNRRA" he doubts that all of public have been misled in view of fact that public recognizes packaging of UNRRA supplies as of American rather than Soviet origin.

I should appreciate the Department's instructions as to whether it is within my province to bring foregoing to attention of either Soviet Chief of UNRRA Mission in Praha or the Czechoslovak Government.

STEINHARDT

840.50 UNRRA/10-1145

*Memorandum by the Director of the Office of European Affairs
(Matthews) to the Secretary of State*

[WASHINGTON,] October 22, 1945.

The British have recently expressed to the Department¹⁰ concern at the size of Tito's Yugoslav army and the effect of the maintenance of this large force on the UNRRA program in that country, resulting either directly by diversion of supplies to that army or indirectly by the fact that those troops, if demobilized, might contribute to increase agricultural production in Yugoslavia. The British have made two proposals in this connection 1) that the two principal supplying nations, the United States and Britain, ask Governor Lehman to reduce or suspend UNRRA supplies to Yugoslavia until the army is demobilized or 2) that an UNRRA "vetting" mission with large British and United States contingents be sent to investigate the situation particularly in the light of the present size of Tito's army.

¹⁰ By *aide-mémoire* of October 11, 1945, not printed.

On October 11, Mr. Balfour¹¹ of the British Embassy discussed with Under Secretary Acheson his Government's proposal for a "vetting" mission. It was indicated in this connection that the British had in mind the political aspects of such a mission and it is believed that in the first proposal made to you by Lord Halifax similar motives were at least partly behind the British suggestion.

We feel that it would be inadvisable to involve UNRRA in political matters even if Governor Lehman should be agreeable, which seems unlikely. In any case, we have in the meantime suggested to the British and to Moscow a joint approach to Dr. Subasić¹² and Marshal Tito¹³ urging them to reestablish the basis for cooperation which we recommended at Yalta¹⁴ be put into effect and we believe this line preferable to that of exerting pressure for political ends on Tito indirectly through UNRRA or otherwise.

However, we agree that, political considerations aside, the continued existence of an army of 600,000 or more men in Yugoslavia constitutes, at least indirectly, a drain on UNRRA supplies and that if a portion of these men were demobilized they would be in a position to assist in increasing the local Yugoslav agricultural production materially. Tito maintains and recently told our Congressman Mundt and Mrs. Bolton that a program for demobilizing 200,000 troops has been completed.¹⁵ On the other hand, he subsequently said in an address to the officers corps in Belgrade that he intends to "strengthen" his army. But the army does not seem to be the sole problem faced by UNRRA in Yugoslavia. While there is a sizable production in the northern regions, a lack of transport prevents distribution from that area to the less productive populous southern and western sections. In addition, transport problems are hampering the distribution throughout Yugoslavia of UNRRA supplies now being landed at Adriatic ports. Consequently, a reduction in the army would not, in our opinion, provide in itself a solution to the relief problem in Yugoslavia and it seems to us that it is merely one of a number of factors to be considered by UNRRA in connection with the continuance or readjustment of the UNRRA program in that country.

¹¹ John Balfour, British Minister in Washington.

¹² Ivan Subasić, Foreign Minister of Yugoslavia.

¹³ Josip Broz Tito, Premier of Yugoslavia.

¹⁴ See *Conferences at Malta and Yalta*, p. 264.

¹⁵ Karl E. Mundt, of South Dakota, and Frances P. Bolton, of Ohio, members of the Foreign Affairs Committee of the House of Representatives, led a Congressional group which visited Belgrade on a European tour. For a report of this conversation, see telegram 540, October 9, 6 p. m., from Belgrade, vol. v, p. 1262.

We have drafted the attached memorandum ¹⁶ in reply to the *aide-mémoire* left with you by Lord Halifax on October 11 along the foregoing lines, for transmission, if you approve.

H. FREEMAN MATTHEWS

840.50 UNRRA/10-2645 : Telegram

*The Secretary of State to the Ambassador in Czechoslovakia
(Steinhardt)*

WASHINGTON, October 26, 1945—8 p. m.

337. Urtel 330, Sep 10. General situation regarding distribution of UNRRA supplies has been called to attn of Gov. Lehman who agreed to take immediate steps as reported in Deptel 252, Sep 21. Report in urtel 408, Oct 2, also called officially to attn UNRRA Washington with request that action be taken to prevent diversion of UNRRA supplies to Soviet forces. UNRRA has appointed Richard Brown as deputy to Soviet chief of UNRRA mission, Praha, with instructions to report directly to Gov. Lehman on UNRRA situation in Zecho and to supervise UNRRA observers in field.

Although action may ultimately be taken by UNRRA to correct abuses in distribution and prevent misrepresentation of source of supply, Dept considers that important political principle is involved in claiming unilateral credit for an international undertaking and in diversion of supplies. Dept considers this particularly important in view of your reports on state of Zecho public opinion. You are therefore requested in your discretion to bring facts reported in your 330 informally to attention of chief of UNRRA mission and call to his attn principles enunciated in various resolutions on policy of first session of UNRRA council, as well as specific provisions of Zecho-UNRRA agreement of 26 Feb 1945 ¹⁷ providing for Zecho Govt responsibility for distribution and outlining precise powers and functions of UNRRA field mission. You may suggest that chief of mission issue a public statement to the effect that incorrect info has been circulated concerning source of UNRRA supplies, stating that you propose also to bring it to attn Zecho Govt and, if situation not corrected, you will be forced to consider taking such steps as may be necessary. If he refuses to make such a statement, as Dept anticipates, you may make similar informal request of Zecho Govt for its views concerning operation of Zecho-UNRRA agreement. If adequate statements or explanations are not forthcoming Dept would appreciate your views whether any further appropriate action may be taken.

¹⁶ Not printed; it was dated October 25, 1945, and transmitted to the British Embassy.

¹⁷ For text, see Woodbridge, *UNRRA*, vol. III, p. 271.

Reurtel 408, please follow this up so far as possible to obtain additional info and also advise whether sources info should be protected.

BYRNES

840.50 UNRRA/10-3145

The Secretary of State to the Chairman of the House Appropriations Committee (Cannon) ¹⁸

WASHINGTON, October 31, 1945.

DEAR MR. CANNON: In my letter to you of October 22, 1945,¹⁹ I expressed the view that it would be unfortunate to include new and restrictive conditions in the pending UNRRA appropriation legislation. In this connection I would like to refer to one of the conditions which has been proposed in various forms relating to the freedom of properly accredited representatives of the press of the United Nations to enter areas receiving UNRRA assistance. I have already indicated to you that I did not believe this proposal, in any of its forms, should be accepted.

I want, particularly, to explain my views on this matter. The reason for my belief, as I am sure you know, has nothing to do with the intrinsic merit of the suggestion: I am thoroughly in favor of that.

I do not believe, however, that the bill appropriating the remaining funds already authorized for our participation in UNRRA is the appropriate device through which to seek the result we all desire.

It would be fortunate indeed if we could provide succor under ideal conditions of all kinds, but hunger and cold and tragedy will not wait upon perfection. We cannot put ourselves in the position of denying promised relief to millions of human beings because we have failed to secure our other objectives in advance.

It is my firm hope that all people may soon enjoy complete access to the news as well as freedom of speech and of belief and of assembly, but I fear that the attachment of conditions in our appropriation bill may hurt rather than help us in our efforts to achieve these ends.

To carry on our foreign relations we have regular mechanisms of international intercourse. We are using these with vigor to implement our foreign policy. We have already met with a considerable degree of success in providing our correspondents access to the news, and I am convinced that the course we are following is the correct one. We must seek our ends by negotiation and agreement, not by ultimatum.

Sincerely yours,

JAMES F. BYRNES

¹⁸ A letter of substantially the same purport was sent on November 7, 1945, to Senator Kenneth McKellar, President Pro Tempore of the Senate.

¹⁹ Reference here is presumably to a letter of October 22, 1945, from the Assistant Secretary of State (Clayton) to Mr. Cannon, not printed.

840.50 UNRRA/10-3145 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, October 31, 1945—midnight.

[Received November 4—1 : 18 a. m.]

516. Immediately upon receipt of the Dept's 337 of Oct 26 I asked Alexejev, Chief of the UNRRA Mission in Zecho, to call to see me. At a conference this afternoon I brought to his attention the facts reported in my 330 of Sept 10 to the Dept and referred to the principles enunciated in various resolutions on policy of the UNRRA Council as well as specific provisions of the Zecho-UNRRA agreement of Feb 26, 1945. I also called his attention to the criticism prevalent in Praha and the US of UNRRA operations in Zecho and enumerated to him the four principal criticisms: (a) Failure to adequately inform the Zecho public of the role played by the US in UNRRA, (b) allowing the belief to prevail in some quarters that UNRRA supplies originate with the Soviet Union, (c) permitting UNRRA supplies to be distributed to obtain local political advantages, (d) failure to provide any food or clothing for the children or destitute of Praha.

In reply Alexejev pointed out that efforts have been made since the arrival of Hitchcock²¹ as Press Relations Officer to publicize the participation of the US in UNRRA and referred to recent newspaper clippings as evidence that the corrective steps had not been without success. As to the belief in some quarters that UNRRA supplies originate with the Soviet Union, Alexejev cited two instances in local communities where the population had indicated that they were aware of the fact that UNRRA supplies were largely provided by the US, adding that in his opinion much of the population was by now aware of this fact. As to the receipt by the Soviet Army of a considerable quantity of UNRRA canned meat in Brno, Alexejev said that this matter was still under investigation, the preliminary inquiry having disclosed that there has been "an exchange" with the Soviet Army of UNRRA canned meat for fresh meat. Alexejev then admitted that there had been maldistribution of UNRRA supplies in some places which might have occasioned talk of political advantages for some and said that he was taking corrective measures. These measures he said would include the opening of an office in Bratislava and a more thorough inspection wherever distribution is made. As to the failure to provide any food or clothing for Praha he at first suggested that American voluntary organizations meet this require-

²¹ Edward B. Hitchcock, Public Relations Officer, UNRRA Mission to Czechoslovakia.

ment saying that conferences were being held with Dr. Sharp and Mrs. Gates on this subject. When I pointed out that the city of Praha with seven percent of the entire population of Zecho was entitled to at least some share of UNRRA deliveries to Zecho irrespective of any aid that might be rendered by American relief agencies, he was inclined to agree observing that this was a matter for the Czech authorities.

I gained the impression that Alexejev is seriously concerned with the criticism which his administration has avoided [*incurred?*] and that subject to his limited capabilities and experience and such instructions as he may receive from time to time from the Soviet Embassy he is making a serious effort to remove the causes of complaint. He said he welcomed the impending arrival of Richard Brown who as his administrative assistant would be placed in charge of distribution.

In fairness to Alexejev I should add that substantial progress has been made during the past few weeks in correcting the erroneous impression regarding the origin of UNRRA supplies.

In view of the arrival in Praha of Hitchcock as Press Relations Officer for UNRRA and the impending arrival of Brown as Deputy Chief, both of whom are Americans, I suggest that no further action be taken by the Dept until the result of their joint efforts can be appraised. I shall, of course, continue to report developments. As soon as Alexejev has completed his investigation of the Brno incident and reported to UNRRA I will furnish the Dept with any further information obtainable. I request that the Embassy's source of information be protected.

STEINHARDT

840.50 UNRRA/11-745

*Memorandum by the Chief of the War Areas Economic Division
(Gilpatrick) to the Assistant Secretary of State (Clayton)*

[WASHINGTON,] November 7, 1945.

I have been informally advised that Governor Lehman met with President Osmena of the Philippines this morning to discuss the pending Commonwealth request for UNRRA assistance. Governor Lehman suggested a continuation of the program of emergency assistance to the Philippines and offered to set aside \$2,000,000 for this purpose in addition to the \$1,000,000 already spent as an emergency measure. Osmena seemed quite satisfied with this arrangement, and the Director General feels that he has full authority to proceed without reference to the Council or the Central Committee. I have asked that we be officially notified of this development in the event that you

wish to advise the Secretary, and possibly Messrs. Ickes,²² McNutt,²³ and the President at your scheduled meeting next Tuesday.

I believe that the above action grows out of a conversation which Colonel Wood²⁴ and I had with the Director General in which we tentatively suggested that an emergency program be continued for the Philippines, and that their over-all request be left pending, without action by either UNRRA or the Resolution 23 Committees until some clarification of the U.S.-Philippine relief program, now before Congress, was forthcoming. Such a procedure would avoid any embarrassment for the U.S. in having a Philippine request for UNRRA assistance come before a financial committee at a time when we did not know what unilateral action was contemplated by this Government and the Congress. If the development reported above is a fact, we are also spared any embarrassment should the question of UNRRA aid to the Philippines be raised in the course of the Congressional hearings on the new UNRRA contribution.²⁵

[The final paragraph dealt with tentative details on Philippine relief, not directly related to UNRRA.²⁶]

840.50 UNRRA/11-845: Circular airgram

*The Secretary of State to Certain Diplomatic Officers in the American Republics*²⁷

WASHINGTON, November 8, 1945—3:50 p. m.

Continuing problems of relief and rehabilitation in Europe and the vast problems in the Far East which must now be faced by UNRRA make it essential that the Administration be supplied with sufficient funds. While the greatest financial burden naturally rests upon the United States, the contributions of all countries are important. The US Congress which is now in the process of appropriating the \$550 million balance of the first US contribution, will shortly be

²² Harold L. Ickes, Secretary of the Interior.

²³ Paul V. McNutt, U.S. High Commissioner to the Philippines.

²⁴ Col. C. Tyler Wood, U.S. Army.

²⁵ In November 1945 UNRRA authorized a \$2,000,000 emergency grant to the Philippines. During 1945 UNRRA, "at the request of the Philippine Government, refrained from calling the [Resolution 23] Subcommittee together lest its expected judgment prejudice the negotiations for substantial aid to the Islands from the United States, then in progress." See Woodbridge, *UNRRA*, vol. II, p. 458. Subsequently, the Philippine Rehabilitation Act of 1946, P.L. 370, April 30, 1946, granted substantial U.S. aid to the Philippines; 60 Stat. 128. Not until July 19, 1946, was the Republic of the Philippines declared able to pay by the Resolution 23 Subcommittee of UNRRA. For details, see Woodbridge, *UNRRA*, vol. II, pp. 454-461.

²⁶ For documentation on Philippine relief, see vol. VI, section under Philippine Commonwealth entitled "Participation by the United States in measures for the relief and rehabilitation of the Philippines".

²⁷ Sent to Colombia, Costa Rica, the Dominican Republic, Mexico, Panama, Uruguay, Venezuela, Ecuador, El Salvador, Bolivia, and Paraguay.

requested to authorize the additional one percent contribution recommended at the recent UNRRA Council meeting in London.

A significant factor in the success of the Congressional approach will be the Department's difficulty in justifying any failure on the part of other contributors to fulfill their original financial undertakings to UNRRA. This failure received considerable attention from Congress and the press during the recent hearings, and will be given even more scrutiny if action has not been taken by the other contributing governments before the new hearings are completed. Action by the governments now in arrears will have a definite effect on the willingness of the Congress to vote an additional one percent contribution by the United States to UNRRA and it is, of course, apparent that without an additional US contribution to UNRRA, the aims and objectives of the Administration and its member governments cannot be accomplished.

As of September 30 the status of contributions to UNRRA was as follows (in thousands of US dollars) :

<i>Country</i>	<i>Authorized or in process</i>	<i>Paid or available</i>	<i>Balance due in 1945</i>
Colombia	\$2, 356	\$52	\$2, 304
Costa Rica	400	0	400
Dominican Republic	350	245	105
Mexico	3, 602	1, 148	2, 454
Panama	409	142	267
Uruguay	520	485	35
Venezuela	1, 017	17	1, 000
Ecuador	150	0	150
El Salvador	129	5	124
Bolivia	95	32	63
Paraguay	38	10	28

You are requested to bring the above points forcefully to the attention of the appropriate government officials. An important service can thus be rendered to the UNRRA program. This subject has been fully discussed with the British and Canadian Governments, whose missions, the Department understands, will receive similar instructions.

BYRNES

S40.50 UNRRA/11-945 : Airgram

The Secretary of State to the Ambassador in Brazil (Berle)

WASHINGTON, November 9, 1945.

A-1031. [The first paragraph of this airgram is identical with that of circular airgram of November 8, 3:50 p.m., printed *supra*.]

Consideration will also be given at the next UNRRA Council meeting to the possible addition of several new members to the Central Committee. If, as seems desirable, this Government is to support

the nomination of Brazil to be one of these, it is important that preliminary steps be undertaken in the very near future to support this position with the other interested governments. The US initiation of action in this regard would only be justified if Brazil should find it possible to increase her present contribution to UNRRA, or at the least, to take definitive steps in that direction before the meeting of the Council which is expected to take place late this year or early in 1946.²⁸

At the same time it should be borne in mind that the action taken by Brazil will have no small influence on the action to be taken by the Congress in considering an additional contribution to UNRRA. During the recent hearings both the Congress and the press gave considerable attention to the fact that many governments had failed to make available to UNRRA the contributions which had been previously agreed upon. The British and Canadian Governments have joined this Government in calling these facts to the attention of certain of the American Republics and it is not unlikely that favorable action by Brazil in regard to an additional contribution will also have the effect of spurring other governments especially those in Latin America to fulfil their existing obligations, if not to pledge further contributions.

It is apparent that without additional contributions to UNRRA the aims and objectives of the Administration and of this Government cannot be accomplished.

You are requested to take appropriate measures to bring this matter to the attention of the Brazilian Government and thus render an important service to UNRRA as well as this Government.²⁹

BYRNES

840.50 UNRRA/11-1045

*The Director General of the United Nations Relief and Rehabilitation Administration (Lehman) to the President Pro Tempore of the Senate (McKellar)*³⁰

WASHINGTON, 9 November, 1945.

MY DEAR SENATOR MCKELLAR: Your letter of November 3 regarding H. J. Res. 266^{30a} has just reached me. I will, of course, be glad to come before your Committee at any time I am invited to do so.

May I again urge as strongly as I can that the Congress reach a prompt decision regarding the funds that may be made available now

²⁸ Brazil became a member of the UNRRA Central Committee at the Fourth Council meeting, March 15-29, 1946; see Woodbridge, *UNRRA*, vol. I, pp. 52, 56.

²⁹ For information on Brazil's contributions to UNRRA, see *ibid.*, p. 121.

³⁰ Senator McKellar was a member of the Senate Appropriations Committee. Copy of letter transmitted by Mr. Lehman to Mr. Gilpatric on November 10.

^{30a} Resolution regarding an additional appropriation for UNRRA. See *Congressional Record*, vol. 91, pt. 8, p. 10277.

and hereafter for the work of UNRRA. As I have already testified, UNRRA is now without available funds. Its work has already been curtailed. It will cease entirely within a short period unless we are given the additional necessary funds. The need is so urgent, the case of millions of human beings so desperate, that we can no longer wait in taking action without causing untold suffering.

May I again express the deep hope that the bill when passed will not contain crippling restrictions. Since writing to you on November 2 in regard to the Brown amendment³¹ attached to the House bill appropriating funds for UNRRA, I have given further thought to the matter and I feel that I should add this post-script to my earlier communication. I believe more strongly than ever that the enactment of this amendment would be most unfortunate.

The opportunity for public service offered me as Director General of UNRRA appealed to me strongly. I have felt that through this organization, created to minister to the urgent needs of survivors of a tragic war, the humanitarian impulses of the American people would find a fitting expression. As my whole life has been devoted to public service and to humanitarian causes, I need hardly tell you that, with a full appreciation of the manifold difficulties, I was not only willing but eager to play a part in this challenging endeavor.

As I pointed out to you in my recent letter, UNRRA is a relief organization dedicated solely to the purpose of bringing urgently needed supplies and services to starving peoples. On this account, I feel keenly that it would be unworthy of the United States to place political conditions on its participation. I have the greatest sympathy with the American desire to see the press accorded fullest freedom everywhere. I do not feel that it is proper, or that it would be effective, to attempt to impose this condition as the price of continuing relief. On the contrary, I believe the only result of such an attempt would be to impair the ability of UNRRA to perform the humane task to which it is dedicated.

Should we raise political conditions now not contemplated at the time we made our current commitment, we would inevitably place our own good faith in question. At the very least we would invite other countries to follow our lead, attaching conditions to their grants. The task of UNRRA has not been an easy one. Under these circumstances it would become well-nigh impossible. The United States would be held responsible for whatever suffering might be entailed.

³¹ Representative Clarence Brown, of Ohio. For text of the amendment, see *Congressional Record*, vol. 91, pt. 8, p. 10283.

I am again laying my views before you because of my profound conviction that I do not exaggerate the gravity of the situation.³²

Very sincerely yours,

HERBERT H. LEHMAN

[On November 13, 1945, President Truman sent to the Congress a message describing United States participation in the work of UNRRA and requesting the Congress to authorize a new appropriation of \$1,350,000,000 for this purpose. For text of this message and of related statements by Under Secretary Acheson and Assistant Secretary Clayton, see Department of State *Bulletin*, November 18, 1945, pages 807 ff.]

840.50 UNRRA/11-1945: Telegram

The Secretary of State to the Ambassador in the Soviet Union
(Harriman)

WASHINGTON, November 19, 1945—11:14 a. m.

2363. Following is text of letter dated September (Dept copy does not give day of month³³) from Messrs Clayton, Baker,³⁴ and Canadian Member of the Council³⁵ to Mr. Sergeev:

"Reference is made to our conversation of August 24, in which we agreed on a text of a resolution regarding additional contributions which was subsequently adopted by the UNRRA Council. During the conversation, you agreed on behalf of the delegations of the USSR, Ukraine, and Byelorussian SSR and we on behalf of our respective delegations to the following understanding.

"The application of the USSR for receipt of free UNRRA assistance will be replaced by applications on behalf of the Ukrainian and Byelorussian Republics for receipt of relief and rehabilitation supplies in the amount of 250 million dollars. In the consideration of the applications of the Ukrainian and Byelorussian Republics by an appropriate sub-committee to be established in accordance with Resolution 23, the United States, United Kingdom and Canadian representatives undertake to support the applications of the Ukrainian

³² The Brown Amendment to the UNRRA appropriations bill was stricken by a Senate amendment; see *Congressional Record*, vol. 91, pt. 9, p. 11462. Finally, a Joint Report, accepted by both Houses of Congress, proposed the following provision which became part of Public Law 259: "B. The President is hereby requested, through appropriate channels, to facilitate the admission to recipient countries of properly accredited members of the American press and radio in order that they may be permitted to report without censorship on the utilization and distribution of United Nations Relief and Rehabilitation Administration supplies and services." For complete text, see 59 Stat. 609.

Under dates of January 8 and 10, 1946, the Secretary of State circulated to the Diplomatic Representatives in Washington of countries receiving UNRRA aid the purport of the freedom of the press provision of the U.S. UNRRA appropriation bill for 1946, P.L. 259, December 14, 1945, 59 Stat. 609.

³³ A copy of this letter in Department files, omitting the last sentence in paragraph 2, is dated September 1, 1945.

³⁴ Philip J. Noel-Baker.

³⁵ Lester B. Pearson.

and Byelorussian Republics for receipt of free relief and rehabilitation supplies from UNRRA in the amount of 250 million dollars. We are satisfied from what you have told us that the facts will justify us in taking this course. It is understood that there will be a maximum simplification of the procedure of considering the applications, and that every effort will be made to avoid delay either in reaching a decision or in rendering the assistance required. It is understood that, if the additional funds contemplated in Resolution 80³⁶ are not forthcoming from the three principal contributing countries, a new situation will arise in which all concerned with the present exchange of letters will endeavour to ensure a reduction by the Administration of all outstanding claims, including those of the Ukrainian and Byelorussian Republics, sufficient to bring them within the limits of the funds available.

"We would appreciate your confirming the correctness of this statement of our mutual understanding."

BYRNES

840.50 UNRRA/11-2845 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, November 28, 1945—7 p. m.
[Received November 30—7:45 a. m.]

641. For the Dept and Director General Lehman of UNRRA from Richard Brown. A report received from the Czech Government concerning the alleged transfer of unrationed meat to the Soviet Army confirms the fact that 10,000 pounds of unrationed meat were transferred to the Soviet and Rumanian armies in Brno. At the time the transfer was made inadequate instructions had been given [for distributing?] ³⁷ UNRRA supplies.

The report of the Czech Government although similar in many respects to the [independent investigation made by Mission's staff] ³⁸ which was facilitated by the Government does not satisfy me as I regard the report as inadequate.

Alexejev and I have conferred with Nemec ³⁹ and Schlesinger of the Ministry of Food with respect to the inadequacy of the report.

Alexejev and I have also addressed a strong letter to the Minister of [Food] ^{39a} pointing out the incomplete aspects of the report and insisting that improved investigating and accounting facilities in connection with the distribution of UNRRA supplies be instituted immediately.

³⁶ For text, see Woodbridge, *UNRRA*, vol. III, p. 146.

³⁷ Bracketed insertion appears in file copy of this telegram.

³⁸ This and subsequent insertions made on basis of the text of this message sent to Ambassador Steinhardt by Mr. Brown, November 27, for transmission to Director General Lehman and Lieutenant General Gale.

³⁹ Frantisek Nemec, President of the Czechoslovak Office of Relief and Rehabilitation.

^{39a} Vaclav Majer.

In view of the steps now being taken by the Government to instruct the handlers of UNRRA supplies in proper principles governing their distribution and the obvious desire of the Government to cooperate in developing a satisfactory, equitable and efficient distribution and that no recurrence of the Brno incident is to be anticipated, I recommend that this incident be regarded as closed.

Copies of the Government report, of the UNRRA [Mission] report and of our letter to the Minister for Food are being airmailed to you.⁴⁰

Sent to Department; repeated to AmEmbassy London for Lt. General Sir Humphrey Gale of UNRRA as 95. [Richard Brown.]

STEINHARDT

840.50 UNRRA/12-145

Colonel C. Tyler Wood, Special Assistant to the Assistant Secretary of State (Clayton), to the Director of the United Nations Relief and Rehabilitation Administration (Lehman)

WASHINGTON, December 1, 1945.

MY DEAR GOVERNOR LEHMAN: As you know, supplies for Italy from the United States are presently being procured through the use of the Italian dollar account and through a joint FEA-Army account which was approved by Congress. The Italian dollar account will be fully obligated by December 31, 1945, but, because of the nature of the goods programmed, deliveries will extend through the early months of 1946. The FEA-Army account, used for the procurement of basic subsistence supplies, will be sufficient only to provide such supplies for loadings through the month of December.

By December 10, 1945, arrangements must be made and commitments must be entered into for procurement of coal, petroleum, food and shipping services in order to have goods go forward to Italy during the month of January. Similarly additional commitments must be made by January 10, 1946, in order to have supplies go forward during the month of February 1946.

On November 14 you informed the Central Committee of UNRRA that UNRRA would be willing to provide approximately \$60,000,000 necessary for the procurement of supplies for Italy for the month of January 1946, contingent upon Congressional approval of the \$550,000,000 appropriation. If the \$550,000,000 appropriation now before Congress is approved before December 10,⁴¹ I assume therefore that you will make available out of such appropriation the funds necessary for procurement and shipment in January to Italy of supplies in an amount believed to be approximately \$60,000,000. While

⁴⁰ None of these documents found in Department files.

⁴¹ For information concerning Congressional action on this appropriation see circular telegram, December 15, p. 1055.

it is realized that UNRRA always retains the power of diversion to other destinations, you will recognize that there would be no other funds or supplies available under this arrangement for procurement for Italy for this month should such diversion take place.

If UNRRA undertakes this commitment a similar problem will arise by January 10 in connection with February shipments for Italy. At this time it is of importance to us to have some understanding as to your intentions with regard to the February shipments. Could you inform us that you will allocate to Italy a proportionate share of any supplies available for February shipment, provided that by January 10 the progress of the proposed legislation for the authorization of an additional \$1,350,000,000 from the United States appears reasonably satisfactory to you?⁴²

While it is exceedingly difficult for you at this time to make positive commitments until funds have been appropriated, nevertheless you will realize that we need the information requested above in order to present to responsible American authorities the grave situation which would exist in Italy should UNRRA be unable to give the Department the requested assurances or should the appropriation be unduly delayed or not approved.

I think it important to point out that it is not our view that Italy should be treated preferentially with respect to other countries receiving UNRRA's assistance. However, because there has been in existence a supply program for Italy separate from UNRRA and in support of a military occupation, it is necessary for us to see to the establishment of an orderly transition from one program to the other and to provide against a break in the pipeline of supplies.

Sincerely yours,

C. TYLER WOOD

840.50 UNRRA/12-345

The Director of the United Nations Relief and Rehabilitation Administration (Lehman) to Colonel C. Tyler Wood, Special Assistant to the Assistant Secretary of State (Clayton)

WASHINGTON, December 3, 1945.

DEAR COLONEL WOOD: I have your letter of December 1st concerning supplies for Italy.

As you know, Italy, as an ex-enemy country, has not been among the countries for which UNRRA has had responsibility. At the meeting of the UNRRA Council in London in August 1945, however, on motion of the United States delegate, it was agreed that Italy might be considered eligible for relief and rehabilitation supplies from UNRRA and it was understood that shipments to Italy were

⁴² For information concerning Congressional action on additional funds, see telegram 2458, December 29, to Rome, p. 1057.

to be financed from funds acquired from a second one percent contribution.⁴³

In view of the necessity for supplies in Italy during the critical winter months and the termination of the Army-FEA program in December, I informed the Central Committee of UNRRA in November that I would make available up to \$60 million worth of supplies for Italy if the \$550 million appropriation, due under the first one percent contribution, were made available. I gave this assurance not because Italy was an UNRRA responsibility, but in order that there might not be a break in the supply line with consequent misery and starvation in that country.

UNRRA is faced, however, with a very grave situation. The Congressional delay in acting upon the \$550 million appropriation has already necessitated cuts in our shipping program for December and January. We have simply not had the funds to carry on our functions properly and even if Congress makes available the \$550 million by December 10th—the date which you mention as a deadline—it will be extremely difficult to procure and obtain the supplies in time to maintain the flow of supplies when FEA-Army shipments cease at the end of December.

The \$60 million out of the \$550 million will not be sufficient to maintain programmed shipments to Italy in February. Accordingly, it is essential that this Administration have in hand funds out of the second one percent contribution before the end of December in order to finance the February supplies. If these additional funds are not received, shipping programs not only for Italy but all other countries receiving UNRRA supplies will be disrupted. We shall, however, make such February shipments as may be possible to Italy having in mind, of course, our responsibilities to other nations and reasonable assurance that a second one percent contribution will be made available by the United States.

I cannot emphasize too strongly that the responsibility rests squarely on the State Department to obtain the necessary funds from the United States for the continuance of UNRRA's relief program for all recipient countries and in particular Italy. It is essential that the United States Government assure to UNRRA the funds which are necessary for the continuance of its program.

Sincerely yours,

HERBERT H. LEHMAN

⁴³ For the discussion at the Third UNRRA Council regarding aid to Italy, see *Journal of the Third Session of the Council*, pp. 100-115; the text of Resolution 73, "A Program of Relief and Rehabilitation Assistance in Italy", is printed in Woodbridge, *UNRRA*, vol. III, p. 143.

S40.50 UNRRA/12-345 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, December 3, 1945—2:48 p. m.

2438. Following is text of reply dated November 9, 1945 to letter quoted in Dept's 2363 of October 17 [*November 19*]:

"This is to acknowledge receipt of your letter of September 1945, addressed to Mr. Sergeev, regarding the rendering of assistance from UNRRA to the Ukrainian and Byelorussian Soviet Socialist Republics.

"I note with satisfaction the statement contained in that letter that the United States, United Kingdom and Canadian representatives will assist the Ukrainian and Byelorussian Republics in the receipt of free relief and rehabilitation supplies from UNRRA in the amount of 250 million dollars, and also that there will be a maximum simplification of the procedure of considering the appropriate applications and that every effort will be made to avoid delay in rendering the assistance.

I am glad to advise you that the above-mentioned statement has already been partly carried into effect by recommendations of the subcommittee and by decision of the Director General on furnishing by UNRRA of free relief and rehabilitation supplies to the Ukrainian and Byelorussian Republics.

"At the same time I would like to note that, having acquainted themselves with the resources at UNRRA disposal and having in mind that the Ukraine and Byelorussia are among the countries most heavily ravaged as a result of enemy occupation, the Governments of these Republics have full confidence that their requests for receipt of assistance from UNRRA, submitted as it was agreed with you in the minimum amount of 250 million dollars, will be fully met in as short a period of time as possible from the resources which are already at the disposal of UNRRA from the first contribution of member-countries under the Resolution No. 14⁴⁴ of UNRRA Council.

"Sincerely yours,

"V. Klentsov, Acting Council Member of UNRRA for the U.S.S.R."

BYRNES

S40.50 UNRRA/12-345 : Telegram

The Ambassador in Italy (Kirk) to the Secretary of State

ROME, December 3, 1945—7 p. m.

[Received December 4—12:30 p. m.]

3868. Personal for the Secretary and Clayton. In Dept's instruction Nr 715 of October 16⁴⁵ replying to my inquiry as to what plan was proposed to finance supplies for Italy in case UNRRA appropriation is not granted it was indicated that while no alternative

⁴⁴ For text, see Woodbridge, *UNRRA*, vol. III, p. 57.

⁴⁵ Not printed.

plans had been prepared there would undoubtedly be discussed the question of American policy in aiding Italy during the hearings with respect to UNRRA appropriations. A practical answer to that question even if only for provisional application is critically needed at this moment since the approach of the reported Congressional recess in December without definite action having been secured on the authorization and appropriation of the new one percent contribution to UNRRA, makes a gap in the basic supply line to Italy a real and very dangerous possibility. It leaves those who are in charge of supply program in a position where they do not know who will be responsible for loading supplies for Italy after 31 December less than a month from today.

In my opinion it is of crucial importance to our political and economic policy toward Italy and to world stability in general that supplies continue to arrive in a regular flow throughout the winter months in at least the monthly quantities provided for in the FEA \$100,000,000 program.

Since insofar as is known here the UNRRA appropriation is not now assured as to the time factor I urgently recommend that the Dept consider seriously the possibility of obtaining from Congress another special emergency interim appropriation, comparable to the FEA \$100,000,000 appropriation which can be used to keep the supply line open during at least the next 2 months (January and February loading). If this particular arrangement is not practicable some similar action should be taken to accomplish immediately the same purpose since the time is so short that the agencies here charged with the supply program cannot continue to gamble on the uncertain progress of the UNRRA legislation in Congress, as far as January and February loadings are concerned.

For necessary orientation here an urgent reply in connection with the foregoing and indicating expected course of action would be appreciated.

Sent Dept., repeated Caserta 1167.

KIRK

840.50 UNRRA/11-945

The United States Member of the UNRRA Council (Clayton) to the Acting Soviet Member of the UNRRA Council (Klentsov)

WASHINGTON, December 5, 1945.

DEAR MR. KLENTSOV: Thank you for your letter of November 9⁴⁶ in which you acknowledge the letter which I sent jointly with Messrs. Pearson and Noel-Baker to Mr. Sergeev in September 1945, confirming the understanding reached in London between us as to the extent

⁴⁶ Not printed.

and nature of the request for UNRRA assistance from the Ukrainian and Byelorussian Soviet Socialist Republics. You refer in your reply to the confidence of the Governments of these two Republics that their requests for receipt of UNRRA assistance, within the terms agreed upon between us, would be fully met from the resources of the Administration available out of the original contribution of the non-invaded member governments.

It would not be possible for me to accept this interpretation of the arrangements agreed upon between us in London. You will recall that the original letter from Mr. Pearson, Mr. Noel-Baker and myself stated:

"It is understood that if the additional funds contemplated in Resolution 80 are not forthcoming from the three principal contributing countries, a new situation will arise in which all concerned with the present exchange of letters will endeavor to insure a reduction by the Administration of all outstanding claims, including those of the Ukrainian and Byelorussian Republics, sufficient to bring them within the limits of the funds available."

I have consulted with Mr. Noel-Baker and Mr. Pearson, who share my views in the above regard. I am sending this letter without waiting for the delay which would be involved in having all three of us sign it ⁴⁷ so that you may inform the Governments of the Ukraine and Byelorussian Republics promptly of our views in this matter in order to avoid any misunderstanding of the agreement reached between ourselves and you in London.⁴⁸

Sincerely yours,

W. L. CLAYTON

840.50 UNRRA/12-345: Telegram

The Secretary of State to the Ambassador in Italy (Kirk)

WASHINGTON, December 6, 1945—6 p. m.

2291. Reur 3868 Dec. 3. Governor Lehman has indicated he will finance January shipments to Italy from \$550 million remaining balance of original contribution which is expected to be appropriated within next 2 days.

On basis of most recent developments in connection with UNRRA appropriations there is good chance that Congress will act on proposed new one per cent contribution to UNRRA prior to Xmas recess. Every possible means is being used to point out to Congressional leaders

⁴⁷ Marginal note reads: "Letter cleared with Ed Ritchie—Canadian Embassy [and] R. Jackling—British Embassy".

⁴⁸ The entire sum allocated for the Ukrainian S.S.R. and Byelorussian S.S.R., 250 million dollars, was made available to UNRRA, and supplies of that value were delivered to the two areas; see Woodbridge, *UNRRA*, vol. II, p. 250. For texts of agreements, dated December 18, 1945, between UNRRA and both Byelorussian and Ukrainian S.S.R., along with subsequent exchanges of letters, see *ibid.*, vol. III, pp. 255, 260, 332, 337.

urgency of immediate action. Special legislation for Italian relief could probably not be put through Congress any quicker than the UNRRA bill itself and might in itself delay the UNRRA appropriation and raise questions regarding similar problem affecting other countries whose supply pipelines will run out if UNRRA funds are not appropriated immediately.

Dept is fully aware of serious results which a break in supply pipeline would bring about. Believe AC⁴⁹ and UNRRA staffs in Rome should make plans on assumption that supplies will be shipped and will be financed by UNRRA. Further information will be sent as soon as developments occur.

BYRNES

840.50 UNRRA/12-845

*The Secretary of State to the Director of the Bureau of the Budget
(Smith)*

WASHINGTON, December 8, 1945.

MY DEAR MR. SMITH: With what I trust is now the imminent approval by the Senate of the authorization for an additional UNRRA contribution as voted by the House of Representatives,⁵⁰ the immediate urgency of the relief problem in the countries receiving or to receive UNRRA's assistance makes it incumbent upon me to request that a full appropriation of the funds authorized be sought from the House Appropriations Committee and the House itself prior to any recess this year. I had hoped that the critical importance of action on the new U. S. contribution to UNRRA, in accordance with the recommendation made last August by the UNRRA Council, would have so impressed itself on Congress, and the people of this country in the course of the recent public hearings before the Foreign Affairs Committee,⁵¹ that the Department would not have to resort to special pleading or procedure to insure that UNRRA's treasury would have the funds necessary to carry on its vital effort to ward off starvation and disease among almost two-thirds of the war-ridden populations of the civilized world.

Reports reaching me daily of the destitution and increasing unrest in these countries, due to the present uncertainty of receiving even the irreducible minimum of essential civilian supplies in the winter months ahead, indicate such a serious threat to our foreign policy objectives and humanitarian commitments that I sincerely believe I would be

⁴⁹ Allied Commission for Italy.

⁵⁰ Passed by the House of Representatives on December 6; see *Congressional Record*, vol. 91, pt. 9, p. 11594.

⁵¹ These hearings took place on November 14, 15, 16, 19, 20, 21, 22, 23; see H.R. 4649: Hearings Before the House Committee on Foreign Affairs, 79th Cong., 1st sess. (Washington, Government Printing Office, 1945).

derelict in my responsibilities as Secretary of State if I did not now seek extraordinary measures of support to insure that UNRRA would not fail in its all important task because a delay in our democratic processes caused a failure to furnish UNRRA with the *sine qua non* of its success—the financial support of the United States.

I therefore request your fullest cooperation, and through you, that of the Congress, in completing legislation making funds available to UNRRA in the earliest possible time. Specifically, I would like to begin appropriation hearings before Mr. Cannon's⁵² Committee in the House of Representatives as soon as enabling legislation has been passed by that body. I would also like to have the House Appropriations Committee act upon the immediate appropriation of the whole contribution of \$1,350,000,000 at that time. I will summarize what I believe to be the logical and special reasons for this request.

The members of Congress, and especially the members of the Appropriations Committee, are at present fully familiar with UNRRA's financial needs, and with the details of UNRRA's proposed scope of operations as well as the provisions being made by the Department to insure effective United States participation in the work of UNRRA and control of our contribution to it. It is quite a normal procedure for any agency seeking funds from Congress to request appropriations to cover one year's operations, as this estimate proposes to do. Administrative and fiscal problems are thereby considerably reduced. It is particularly important to make a lump sum appropriation in the case of UNRRA to avoid repetition of the difficult circumstances in which we have found ourselves this fall in carrying out our responsibilities, and I am sure the Congress can readily satisfy itself that the Department has taken all the steps necessary to insure a satisfactory control over and protection of the United States contributions. There is the further point that the leadership of this country and the Congress in taking such action will undoubtedly promote fuller and more prompt support from other governments contributing to UNRRA. The Department, may I add, intends to pursue this latter point vigorously with other governments.

In the case of UNRRA, there are cogent and special reasons for seeking the immediate appropriation of the second UNRRA contribution, which reasons are in the national interest, as well as to the advantage of UNRRA and its operations. UNRRA's responsibility is not alone one of relief—although that is certainly the overriding consideration at the moment. UNRRA is responsible for furnishing the minimum rehabilitation supplies essential to the production and maintenance of relief articles, services, and distribution. We deliberately broadened the scope of UNRRA to this limited extent in order to avoid

⁵² Representative Clarence Cannon of Missouri, Chairman of the House Appropriations Committee.

any obligation for continuing indefinitely non-recoverable relief expenditures abroad. We are hoping that UNRRA's work can be completed by the end of 1946 in Europe and three months thereafter in the Far East. The UNRRA member governments, including those receiving its aid, support this objective.

We must all admit, however, that attaining this goal will depend upon the success of the 1946 harvest yield in the receiving countries, and the rehabilitation of ancillary services. This means that UNRRA's deliveries of rehabilitation supplies must reach and pass their peak before the spring, in addition to the shipment of tremendous quantities of food and clothing. The responsibility of UNRRA not only to procure a maximum amount of foodstuffs in surplus areas in the immediate weeks ahead but also to secure production and delivery of raw materials, agricultural and transportation equipment, and other essential rehabilitation supplies must be apparent.

The Department will do all in its power to assist UNRRA in the proper and prompt expenditure of the new contribution in accordance with the objectives stated above. We are also charged with facilitating the disposal of the United States war surpluses here and abroad, and have shared with Congress the desire that our contributions to UNRRA should be an important method of achieving this end. The availability now of the additional United States contribution to UNRRA in full will permit maximum efficiency in integrating surplus disposal with the UNRRA supply programs—both in planning, and in actual transfer and delivery. I cannot over-emphasize the need for funds to be available in full, with a minimum of administrative restrictions, if the Department is to succeed in successfully accomplishing this two-fold task.

Sincerely yours,

JAMES F. BYRNES

840.50 UNRRA/12-1045 : Telegram

The Secretary of State to the Ambassador in Yugoslavia (Patterson)

WASHINGTON, December 10, 1945—5 p. m.

449. 1. For consideration of UNRRA program for Yugoslavia Dept requests whatever info you can supply on following subjects.

2. What is present size of Yugoslavian Army? At what rate are demobilization and recruitment actually taking place? What are official demobilization and recruitment plans? If possible give monthly rates and predicted situation 6 months and year ahead. To what extent do following factors affect demobilization situation: temporary absence civilian employment opportunity; ability of Army to feed, clothe and house soldiers more efficiently than at home; government's concern with controlling opposition.

3. To what extent is Army being used for productive purposes, such as reconstruction roads, ports, houses, agricultural production, distribution of relief, etc. How much is this situation determined by government's ability to organize for efficient use?

4. Dept understands British are also interested in above questions, but US approach to Yugo Gov't should be independent.

5. Dept also desires whatever substantiation you have of charges political use UNRRA supplies by Yugo Gov't. Ambassador Kirk reported recently your Mission has information on this question which we have not yet received.

BYRNES

840.50 UNRRA/12-1245

The Director General of the United Nations Relief and Rehabilitation Administration (Lehman) to the Secretary of State

WASHINGTON, 12 December, 1945.

MY DEAR MR. SECRETARY: In my letter of 3 December to Mr. C. Tyler Wood, I indicated the gravity of the situation with respect to shipments of relief supplies for Italy. Despite the absence of assurance from the United States Government that an additional contribution of \$1,350,000,000 will be made by the United States to UNRRA, I have issued instructions that approximately \$60,000,000 out of the first United States contribution to UNRRA be made available for the procurement of supplies and shipping services so as to permit the continuation of the present pipeline of relief supplies to Italy in January. However, the availability of this \$60,000,000 depends upon the completion of the appropriation of the \$550,000,000 now pending. Some of the supplies to be shipped to Italy in January, especially coal, should have been financed not later than December 10. Neither the United States Government nor UNRRA were in a position to finance those shipments by that date. Other supplies should be financed not later than December 15.

I am writing you this letter in order to make certain that you are aware of the fact that our inability to finance the January shipments in time will inevitably result in delays in the January shipments to Italy and I would appreciate it if you would take the necessary steps to acquaint the pertinent officials of the State Department both here and abroad so that they may be aware of the circumstances which have resulted in those delays.

Sincerely yours,

HERBERT H. LEHMAN

840.50 UNRRA/12-1545 : Telegram

The Chargé in China (Robertson) to the Secretary of State

CHUNGKING, December 15, 1945—10 a. m.

[Received December 15—7:15 a. m.]

2165. After consultation with UNRRA officials in Chungking and Shanghai, Embassy's comments on points raised in Department's circular telegram of December 4, 3 p. m.⁵³ are as follows:

1. Assuming that tentatively agreed upon figure of \$550,000,000 for China is carried out, it is unlikely that UNRRA field mission will suggest any changes in schedules revised after end of war, unless there are difficulties in securing one category or another. It is possible that Chinese Government itself may suggest changes. Current trend in their thinking is to put emphasis on transportation and basic raw materials rather than on processed foodstuffs or industrial equipment.

2. Embassy is in a position to make only a perfunctory examination of the program. On the basis of this examination it believes that the program is on the whole a fairly well balanced one. Embassy is of opinion that Chinese tendency to emphasize transportation and raw materials is a correct one and that some revision in this direction might be useful. Emphasis on railroad equipment should have very careful consideration with relation to local political situation. As long as Communist forces operate freely, it seems likely that they will tear up railroad equipment as fast as it is laid down. There are, of course, areas in which this does not apply and emphasis should be there rather than in questionable ones. Possibly more should be done to expand river transport program.

3. While tentative allocations is only one half of the Chinese request, Embassy is of opinion that it is a reasonable figure in relation to China's ability to effectively utilize and absorb a large volume of supplies.

4. UNRRA officials regard food, clothing, medical supplies and transportation as of primary importance and the first to be supplied. The character of the supplies should be in the field of raw materials rather than processed goods wherever practicable. If cutbacks must be made discussions with UNRRA officials indicate they should be made in industrial equipment, fishing equipment and tractors.

5. China's allocation is admittedly low both in relation to her absolute needs and also on a per capita basis. But according to UNRRA surveys present organization of CNRRA, silted condition of rivers at leading ports and lack of water, railroad, and highway transportation facilities all render it extremely doubtful if not improbable

⁵³ Not printed; it requested an appraisal from various diplomatic missions on summaries of proposed UNRRA programs, which summaries were contained in another circular telegram, also not printed, of the same date (840.50 UNRRA/12-445).

whether China will be able to accept delivery of and distribute even the \$350,000,000 allotment for the first 6 months of 1946. Therefore it appears that it would not be economically desirable at this time to increase or to raise the question of increasing China's allotment.

According to reliable sources, CNRRA is burdened with the difficult administrative problems confronting most Chinese Government agencies. While efforts are currently being made by UNRRA to aid CNRRA in improving its internal administration, and while CNRRA is delegating some of its responsibilities to other Chinese Government agencies, unless and until definite evidence is forthcoming that present allocation can be more efficiently handled there is little point in considering increasing it. Hendrickson discussed with Chargé certain administrative weaknesses in both CNRRA and UNRRA field mission in China just before leaving for America and consultation with him will reveal practical problems involved.

ROBERTSON

840.50 UNRRA/12-1545 : Circular telegram

The Acting Secretary of State to Certain Diplomatic and Consular Officers ⁵⁴

WASHINGTON, December 15, 1945.

1. Both Houses of Congress this week voted 550 million dollar balance of first US contribution to UNRRA ⁵⁵ which has since been made available to Administration.

2. Enabling legislation for new US contribution of \$1,350,000 passed House last week and was reported out favorably and without change by Senate Foreign Relations Committee December 13. Senate acceptance is anticipated before Christmas recess next week.

3. Senate passed, on December 14, deficiency bill including 750 million dollar appropriation for UNRRA against second contribution when enabling legislation becomes law. No difficulty in House approval of this appropriation foreseen, and final action anticipated before recess.

4. In accordance with above, Department expects by end of next week that new US contribution will have been finally authorized and that 750 million dollars of it will be available to UNRRA for immediate purchases. This sum, with 550 million dollars already appropriated in December, will cover all necessary UNRRA procurement in US through middle of March, prior to which time it is hoped balance of second contribution will have been appropriated. Congress-

⁵⁴ Sent to London, Paris, Rome, Athens, Warsaw, Belgrade, Moscow, Chungking, Rio de Janeiro, Mexico City, Habana, Ottawa, Vienna, Canberra, New Delhi, Pretoria, and Cairo.

⁵⁵ Approved December 14, 1945; 59 Stat. 609.

sional hearings and debates indicate full support and increasing interest in UNRRA programs and objectives.

ACHESON

860H.20/12-2645 : Telegram

The Ambassador in Yugoslavia (Patterson) to the Secretary of State

BELGRADE, December 26, 1945—8 p. m.

[Received December 28—2:53 a. m.]

798. We estimate present Yugo Army is from 550,000 to 600,000 men including security police and militia but excluding Air Force and Navy. We cannot obtain actual rates of demobilization and recruitment at present. Apparently not many recruits have been called up in past few months and demobilization is taking place in accordance with law of October 26 releasing all men except those born in 1920 to 26 inclusive. Demobilization of officers is dependent [apparent omission] army proper is concerned since secret police is more effective instrument for this purpose and presumably will be kept at any level required.

Army is not generally used for productive purposes but has sometimes been used on special emergency jobs such as bridge building and some harvesting. Failure to use army regularly for productive work probably due mainly to desire to maintain its prestige especially since large numbers of POW's have been used for road repair, etc.

We do not wish to change [*charge?*] that Yugo Govt is making direct political use of UNRRA supplies. Valid evidence is scant and substantiation difficult. Moreover, we feel that question is academic. Whether army garrison near a given town uses UNRRA food or whether it requisitions so much local food that community has to be maintained by UNRRA food does not seem vital. We believe that govt uses food, clothing and medical supplies in general as political weapons. Opponents of regime cannot get "character records", cannot therefore get work, have to exist on less rations than workers and are often unable to get certain supplies including some medicines available to workers. UNRRA supplies therefore assist govt to carry out discrimination even though govt may avoid actual unfairness in use of UNRRA items alone.

Our Military Attaché⁵⁶ has seen large quantities of US Army shoes worn by Yugo soldiers and being transported in Yugo trucks to military headquarters.

Following two contradictory beliefs each held by members [*numbers?*] of people: 1. That bulk of UNRRA supplies come from Russia. 2. That bulk comes from USA and England and will have to be paid for by Yugo Govt.

⁵⁶ Col. Douglas B. Smith.

It appears that the Yugo Govt will pay the American people for their part in supporting UNRRA only by ingratitude. Yugo propaganda has taken no effective steps to counter the above beliefs. It never mentions that USA supplies bulk of UNRRA funds and goods or that any come from Britain. It continues to circulate only unfavorable news about USA and only favorable news about USSR. Speakers at group meetings often credit Russia for UNRRA help although numbers of persons have told us they are not deceived and know it comes from America.

PATTERSON

840.50 UNRRA/12-1745 : Telegram

The Acting Secretary of State to the Ambassador in Italy (Kirk)

WASHINGTON, December 29, 1945.

2458. Following submitted reurtel 4093, December 17.⁵⁷

1. Some two years ago Congress authorized contribution of \$1,350,000,000⁵⁸ but appropriated only \$800 million to UNRRA.⁵⁹

2. In December 1945 Congress authorized second contribution of \$1,350 million.⁶⁰

3. In December 1945 Congress appropriated (a) \$550 million still due on first authorization⁶¹ (b) \$750 million of second authorization.⁶² Therefore, total authorized to date is \$2,700 million, total appropriated to date \$2,100 million balance \$600 million, still to be appropriated.⁶³

ACHESON

840.50 UNRRA/12-2945 : Telegram

The United States Representative in Hungary (Schoenfeld) to the Secretary of State

BUDAPEST, December 29, 1945—1 p. m.

[Received December 30—10 : 15 a. m.]

1167. Deptel 871, Dec. 22.⁶⁴ Key⁶⁵ informs me that at meeting yesterday of ACC⁶⁶ it was agreed that there was great need of tem-

⁵⁷ Not printed; it requested information on the status of U.S. appropriations for UNRRA (840.50 UNRRA/12-1745).

⁵⁸ Approved March 28, 1944; 58 Stat. 122.

⁵⁹ Approved June 30, 1944; 58 Stat. 629.

⁶⁰ Approved December 18, 1945; 59 Stat. 612.

⁶¹ Approved December 14, 1945; 59 Stat. 609.

⁶² Approved December 28, 1945; 59 Stat. 652.

⁶³ See chart in Woodbridge, *UNRRA*, vol. I, p. 113.

⁶⁴ Not printed; it requested Mr. Schoenfeld "to suggest to General Key that he may wish to present for immediate ACC consideration the undertaking by UNRRA of a limited emergency relief program for Hungary." (840.50 UNRRA/12-2245)

⁶⁵ Maj. Gen. William S. Key, Chief of the United States Military Representation on the Allied Control Commission for Hungary. For information on General Key's activities, see vol. IV, p. 799, footnote 5.

⁶⁶ Allied Control Commission for Hungary.

porary relief and that if services of UNRRA were available they should be used. Key said it was further agreed Hungarian Govt would be directed at once to submit request to ACC for UNRRA aid which would be approved and forwarded by UNRRA by ACC. ACC apparently ignored the fact that Hungarian Govt has made appeals as reported in my despatches No. 389, Oct. 13, No. 459, Oct. 26 and No. 540, Nov. 14,⁶⁷ copies all of which have been made available to our representation in ACC. It is hoped that ACC decision now reported will insure action.

I believe implementation of UNRRA undertaking of limited emergency relief program will have far-reaching beneficial effects not only in relieving suffering but in encouraging sound political development in Hungary.⁶⁸

Sent Dept. repeated to Moscow as No. 152.

SCHOENFELD

⁶⁷ None printed. These messages all pertained to the appeals under reference for assistance from UNRRA through ACC. Despatch 540 reported receipt of a note from the Prime Minister of the Provisional National Government of Hungary, Bela Dalnoki Miklos, dated November 8, 1945, which stated that Marshal of the Soviet Union Kliment Efremovich Voroshilov, Chairman, Allied Control Commission for Hungary, had informed Prime Minister Miklos that he (Voroshilov) did not consider himself authorized to transmit Miklos' request for aid to UNRRA; in view of which, Miklos urged that Schoenfeld forward the appeal to UNRRA (840.50 UNRRA/11-1445).

Concerning previous instances of unwillingness of the ACC to permit UNRRA aid to enter Hungary, see Woodbridge, *UNRRA*, vol. II, p. 361.

⁶⁸ On February 4, 1946, the Central Committee of UNRRA passed a resolution authorizing expenditure of four million dollars for emergency relief for Hungary; see *ibid.*, p. 363; text of the Resolution is printed *ibid.*, vol. III, p. 176.

ANGLO-AMERICAN NEGOTIATIONS RELATING TO THE
PROVISION OF CIVILIAN SUPPLIES FOR LIBERATED
AREAS;¹ THE ROSENMAN MISSION

840.24/12-2644

*The Assistant Secretary of State (Acheson) to Mr. Harry L. Hopkins,
Special Assistant to President Roosevelt*

WASHINGTON, December 26, 1944.

DEAR HARRY: Here is the statement which you asked me to prepare, setting forth the political importance of adequate supply for the liberated countries. I presented this at the Secretary's Staff Committee this afternoon, and it was approved.

Is this the kind of thing you had in mind?

Sincerely,

DEAN ACHESON

[Enclosure]

*Memorandum by the Department of State*²

[WASHINGTON,] December 26, 1944.

THE MAINTENANCE OF THE CIVILIAN ECONOMY OF LIBERATED AREAS
IS AN ESSENTIAL INSTRUMENT OF TOTAL WAR

Total war is the use of all national resources and power to achieve national policy. It is not restricted to the employment of force against the enemy; nor to support of allied force. It involves also the full use, if possible, of the help of new populations transferred from the side of the enemy. At the least, it requires every effort to prevent these populations from becoming a positive obstruction.

Supplies to the liberated countries sufficient to keep the people effectively at work in the great scheme of the war is as essential as any part of the war plan. The war can be lost in the liberated countries. It cannot be won without success in the liberated countries.

¹ Continued from *Foreign Relations*, 1944, vol. II, pp. 301-330. For text of Declaration on Liberated Europe made by President Roosevelt, Prime Minister Churchill, and Premier Stalin at the end of the Yalta Conference and released to the press on February 12, 1945, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, p. 971; for other documentation relating to discussions on liberated areas at Yalta see Index, entries under Declaration on Liberated Europe, p. 1002; Europe: Liberated Europe, declaration on, p. 1003; France: Declaration on Liberated Europe, p. 1003; and Liberated areas, p. 1009.

² Copies were transmitted on January 2 and 3, 1945, to the Assistant Secretary of War (McCloy) and the Assistant Secretary of the Navy (Gates), respectively.

Everyone is agreed that in the immediate wake of battle military necessity requires that disease and starvation be prevented. Otherwise the liberated civilians will present a hazard to the conduct of operations and the maintenance of lines of supply. Our conception of total war has not gone much farther.

This is not true of our enemies. From the start they have seen the basic political and military necessity of incorporating the new populations into their systems of production, and, by employing them fully, of minimizing the forces of unrest.

The people of the liberated countries and those of Eastern Europe are the most combustible material in the world. They are fighting people. They are violent and restless. They have suffered unbearably. They understand the necessities and will bear the privations of the battle period.

But they will not and cannot understand or tolerate a situation in which, after the battle has passed them, they cannot go to work to supply themselves and the armies. To put them to work requires supplies and ships. It is argued that these are more needed to prosecute the war in other theaters.

The argument makes no sense to Frenchmen, Belgians, Dutchmen, Norwegians, and Greeks who have been put to work for years by the Germans. It means idleness, the most meagre existence, frustration. With these have come and will come agitation and unrest. With them also come arbitrary and absolutist controls. Then follows the overthrow of governments with rival aspirants for the succession from the right and the left. And with this comes also dissension among the great powers, with one backing one faction; and another, another faction. North Africa, Yugoslavia, Greece, should furnish illustration enough.

On the negative side, the neglect of civilian supply in the liberated countries will directly impede and hamper the war by creating civil disorder, diverting military force (as in Greece) and by causing dissension and distrust among the allies.

It does something much worse than all of these. These disorders weaken the will of our own people to fight the war. A victory which, as it progresses, means first civil war, then conflict among the major allies, and, finally, a dictatorship of the right or left, does not appear to the British and American democracies as worth the sacrifice which this war will mean in the most painful forms during 1945.

It is foolish to close our eyes to the reality of this danger. The will of the democracies to make war can be so weakened by disillusionment with the results as to have the most far-reaching military consequences.

On the positive side, to win the war requires that we win the battle of the liberated countries. Here millions of people have been trans-

ferred from the enemy's camp to ours—people who can work, perhaps fight in the prosecution of the war, but all of whom must rebuild their country in some pattern—the one for which we are expending untold efforts, or some other.

In the view of this Department, it is of the most supreme political and military importance to this country to bend every effort to the full utilization of the liberated countries in the war. They should be fully and immediately incorporated in the economic and psychological alignment against both the physical enemy and the political and ideological system of the enemy.

For these reasons the supply of liberated countries to restore work and production is a part of our total war.

[Mr. Richard Law, Minister of State of the British Foreign Office, had come to Washington December 16, 1944, to discuss economic matters, shipping, and food for liberated areas in Europe. A memorandum of agreement between the United States and the United Kingdom concerning the shipment of supplies to liberated European countries during the first six months of 1945 was initialed at Washington January 14, 1945, by Dean Acheson for Harry Hopkins, Special Assistant to President Roosevelt, and Mr. Law; for text, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, page 420. This memorandum was approved by General George C. Marshall, Chief of Staff, United States Army, and Admiral Ernest J. King, Commander in Chief, United States Fleet, and Chief of Naval Operations. For joint statement by the Department of State and the British Embassy on maintenance of the economies of the liberated countries, released to the press January 15, 1945, see Department of State *Bulletin*, January 21, 1945, page 95.]

840.24/1-2345 : Telegram

The Acting Secretary of State to the Ambassador in Belgium
(Sawyer)³

WASHINGTON, January 23, 1945—7 p. m.

38. Ambassador Winant⁴ has advised us that he has received impression in discussions with representatives of the Allies that they consider Richard Law came to Washington as their advocate to obtain adequate consideration for them in the allocation of supplies and shipping with the inference that the US Government was reluctant

³ Repeated to Paris as No. 263, with an additional sentence expressing hope that the number of ships allocated for the first three months of the year could be increased in subsequent months.

⁴ American Ambassador in the United Kingdom.

to give due recognition to the problem. It would be most unfortunate if the Allies were to take this view of the recent shipping conversations in Washington and you should take steps to counteract such an impression if it exists. It should be pointed out that this government has for some time been fully aware of the importance of the shipment of essential civilian imports for the liberated countries not only for relief but also to permit a revival of industrial and agricultural activity which will contribute to the production in those countries of essential civilian and war needs. It can be stated that a survey of the world shipping situation has been made by the US and UK Governments and that throughout these discussions the needs of the liberated countries have been most sympathetically considered by this government along with the other urgent war needs. The import programs of the liberated governments have been endorsed for planning purposes and the agencies of this government will do everything possible to facilitate procurement of such supplies as we may be asked to furnish.

GREW

840.24/1-2645 : Telegram

The Acting Secretary of State to the United States Political Adviser for Germany (Murphy)

WASHINGTON, January 26, 1945—4 p. m.

65. As a result of the discussions on shipping connected with Richard Law's recent trip to Washington, certain interim arrangements were made leading toward the establishment of supplementary programs for the liberated countries and the provision of some additional shipping. SACMED⁵ is being advised that a program of UNRRA⁶ imports for the first quarter 1945 has been endorsed by the US and UK authorities in order to permit planning procurement and shipping. One ship has been allocated for February loading, subject to military necessities, and one for March for the delivery of UNRRA supplies to Italy from North America. A review is being made of ship allocations for the period subsequent to March and later advice will be sent. SACMED is authorized to receive these vessels subject to his clearance of port and inland transportation capacity. Inform Rome.

GREW

⁵ Supreme Allied Commander, Mediterranean.

⁶ For documentation on participation of the United States in the work of the United Nations Relief and Rehabilitation Administration during 1945, see pp. 958 ff.

840.24/1-2845 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, January 28, 1945—3 p. m.

[Received January 30—3:38 a. m.]

398. 1. I feel that the impression received by Ambassador Winant as reported in the first sentence of the Department's 263 January 23⁷ is fully justified. It has been apparent to us for some time that the British were adroitly maneuvering themselves into the position of being considered the advocates and leaders for the French in Washington. The fact that Richard Law, Thomas Brand⁸ *et al* accompanied Monnet⁹ to Washington and were ostensibly instrumental in bringing about the shipping meetings et cetera naturally reinforced their position.

2. We had already informed the French along the lines suggested in the reference telegram. In fact being aware of prevailing attitude we have sought to counteract it in our daily contacts with the French. Judging from recent statements made by French officials to members of my staff I believe that the French authorities are beginning to realize that United States of America aid to France has not been extracted by combined French British pressure. On the other hand the Department will appreciate that from time to time in the past we have given in to the French after considerable pressure at times abetted by the British.

3. Unsolicited concessions by the United States of America to France can of course go a long way toward overcoming the impression that pressure is required. In this connection it would be most helpful if the Embassy could receive advance information from the Department before concessions whether or not solicited are made. For example we have heard from the French that a master Lend-Lease agreement on the British model is about to be signed.¹⁰ If we could have been informed that we were prepared to make such an agreement before the French in Washington had been notified that information could have been usefully employed here.

CAFFERY

⁷ See footnote 3, p. 1061.

⁸ Member of British delegation in Washington.

⁹ Jean Monnet, member of French delegation.

¹⁰ For text of the Lend-Lease Agreement with France, effected by exchange of notes signed at Washington February 28, 1945, see Department of State Executive Agreement Series No. 455, or 59 Stat. (pt. 2) 1304. For documentation regarding the negotiation of this agreement, see *Foreign Relations*, 1944, vol. III, pp. 748-763.

840.50/2-545 : Telegram

*The Acting Secretary of State to the Ambassador in the
United Kingdom (Winant)*

WASHINGTON, February 5, 1945—9 p. m.

891. For the Ambassador and Hawkins.¹¹ Rosenman Mission expects to depart for London by air from Washington about February 8th. Tentative plan is to remain in London approximately 2 weeks before departure for Paris and thereafter Belgium and Netherlands. Judge Samuel I. Rosenman, Special Counsel to the President, is undertaking mission as President's personal representative with rank of Minister. Attached to him as members of mission are William Taylor of Treasury, Rupert Emerson, Chief, Liberated Areas Division of FEA and Daggett Howard also of FEA, Lt. Col. James Davis of Civil Affairs Division, War Department, Livingston T. Merchant, Chief, War Areas Division and Dudley M. Phelps, Associate Chief, Division of Financial and Monetary Affairs, both latter of the Department.

True reading of President's instructions to Judge Rosenman dated January 22 and classified secret is as follows:

"In addition to your position as Special Counsel to the President, I want you to undertake a mission to the United Kingdom, France, Belgium and the Netherlands as my personal representative with the rank of Minister.

On this mission I want you to examine and report to me the steps to be taken in the joint interests of our country and the fighting Allies in winning the war with respect to the flow of vital supplies other than finished munitions to these countries.

I would also like to ascertain what the needs of these countries will be for supplies and services to repair the destruction and devastation of the war and to build some of the economic foundations of peace in terms of possible credits or other financial assistance at hand or through recommendations for appropriate legislation."

Tentative estimated duration of Mission 6 weeks to 2 months.

Sent to London—Netherlands Series—Brussels and Paris.

GREW

¹¹ Harry C. Hawkins, Counselor of Embassy for Economic Affairs.

800.48/2-745

*The British Secretary of State for Foreign Affairs (Eden) to the
Secretary of State*¹²

[YALTA,] February 7, 1945.¹³

MY DEAR SECRETARY OF STATE:

SUPPLIES FOR LIBERATED AREAS

I think it would be desirable to take stock of this position before the Conference breaks up. During Mr. Law's visit we established the principle of national government import programmes and agreed that procurement should proceed so that supplies should be readily available for shipment. In the case of France and Belgium token allocations of shipping were made for the first quarter which covered 40% to 50% of their requirements.

At this Conference the Combined Chiefs of Staff have recommended to the Prime Minister and President that supplies for liberated areas should be included in the basic undertakings in support of the overall strategic concepts, and it has also been agreed that first priority in shipping should be given to the basic undertakings.

The basic undertaking reads as follows:

"Having regard to the successful accomplishment of the other basic undertakings to provide such supplies to liberated Europe as will effectively contribute to the war-making capacity of the United Nations."¹⁴

and is not entirely satisfactory since the qualification puts liberated areas supplies on a lower category than the other basic undertakings. The Minister of War Transport¹⁵ assures me, however, that from his point of view it is workable and I have therefore told the Prime Minister¹⁶ I do not object to it.

I hope therefore that from now on an increasing flow of supplies will get to those countries. I am, however, disturbed by the continuance of disturbing reports from nearly every country. Shortage of food continues in Belgium and liberated Holland as well as Mediterranean countries. Lack of transport is universal and in the case of France and Belgium there is a serious lack of raw materials. We

¹² Both Mr. Eden and Mr. Stettinius were at Yalta for the Conference there.

¹³ This letter, though dated February 7, was not actually sent until February 10.

¹⁴ See report of the Combined Chiefs of Staff to President Roosevelt and Prime Minister Churchill, 9 February, 1945, paragraph III, 6 h, *Foreign Relations, The Conferences at Malta and Yalta, 1945*, pp. 827, 828.

¹⁵ Lord Leathers.

¹⁶ Winston S. Churchill.

should therefore keep a careful eye on the position and I think it would be wise to call for a progress report from the United Kingdom and United States officials concerned before the end of March.

In the meantime I would like to know whether you would agree that our policy should be on the following lines.

1. That responsibility for civil imports should pass from Theatre Commanders to National Governments or U.N.R.R.A. acting on behalf of a National Government as soon as conditions permit. Generally speaking this should be done as soon as we are satisfied that the National Government can procure and distribute supplies efficiently and the Theatre Commander has been able to make port and inland transport capacity available. A start might be made in France in the near future and negotiations are already proceeding for the transfer of the Greek, Yugoslav and Albanian programmes to U.N.R.R.A.

2. That as far as possible the programme should be established on the spot by using the Four Party Committee procedure. The National Government, the Supreme Commander and the United States and United Kingdom Embassies are all represented on these committees.

3. The National Governments or U.N.R.R.A. should present their shipping programmes direct to the Combined Shipping Authorities. These programmes should be monthly loading programmes set out area by area covering as long period ahead as is possible.

4. We should take steps to see that adequate priority is given to the essential needs of liberated areas by our production and food authorities, bearing in mind the other competing claims on our resources.

5. Special attention should be paid to every possibility of increasing transportation supplies. I understand that there will be a substantial though temporary easing in the shipping position immediately after V.E.¹⁷ day and this may give an opportunity to ship trucks and railway equipment which is otherwise difficult to lift. For instance, is there any possibility of increasing the allocation of United States light trucks to liberated areas either by increased production or re-allocation of existing production?

We might also consider whether it would be advisable to bring this situation to the attention of the Prime Minister and the President during the Conference or whether it would be sufficient if you and I took the matter up with the United States and United Kingdom Departments concerned on our return.

Yours sincerely

ANTHONY EDEN

¹⁷ Victory in Europe.

800.48/2-745

The Secretary of State to the British Secretary of State for Foreign Affairs (Eden)

[YALTA,] February 10, 1945.

MY DEAR MR. EDEN: I have received your letter of February 7 on the question of supplies for liberated areas and have read it with much interest.

In the shortness of time that remains while we are here together I do not feel that I can give this complex and important problem sufficient study to enable me to give you my full comments on your letter. I shall, however, keep the matter closely in mind and immediately upon my return to Washington will give you a full reply.
[File copy not signed]

840.48/2-1145

The British Secretary of State for Foreign Affairs (Eden) to the Secretary of State

[YALTA,] February 11, 1945.

MY DEAR ED: I had hoped to table the question of Relief Supplies for Europe, which is dealt with in the enclosed memorandum, at one of the meetings of Foreign Secretaries.

As, however, there has not been time to do this, I am sending it to you and M. Molotov¹⁸ for your consideration.¹⁹

Yours very sincerely

ANTHONY EDEN

[Enclosure]

Memorandum by the British Delegation

RELIEF SUPPLIES FOR EUROPE

The problem of relief for Europe increases in proportion with the area and population liberated. It is already acute in Mediterranean and North-West European countries, and we assume that the difficulties are equally large in Eastern European countries. The position is made increasingly difficult by scarcity of shipping and bottle-necks in port capacity and inland transport. The shortage of shipping is likely to continue after the end of the German war and will remain a limiting factor on the quantity of bulk commodities, particularly food and coal, which can be imported from overseas into Europe. The most important problem is food.

¹⁸ Vyacheslav Mikhailovich Molotov, Soviet People's Commissar for Foreign Affairs.

¹⁹ In acknowledging this letter the Secretary replied on February 11, stating that he would refer the question immediately to the Department for prompt and careful consideration (840.48/2-1145).

2. If therefore a scarcity of food in large areas of Europe is to be prevented on a scale which would lead to disease and unrest and endanger the economic and administrative structure, the three Great Powers should plan to make the most of resources available from all sources. It is therefore suggested that:

(1) All measures to encourage local production of food-stuffs and raw materials in short supply in German and previously German-occupied territories should be taken.

(2) The level of food production in areas which normally have exportable surpluses should be maintained or increased. The most important of these are eastern Germany, Hungary and Roumania, in all of which the production of food has been affected adversely by the recent course of the war.

(3) Imports from overseas into the deficiency areas, local production and imports from surplus areas in Europe should be co-ordinated in such a way as to prevent disease and unrest.

Sufficient information is not available to enable us to put forward a definite proposal at this conference. We suggest therefore that the question be remitted for immediate further study in Moscow by officials of the three Governments who are expert in such matters. Other related questions such as the use of the services of U.N.R.R.A. and the possibility of using Black Sea ports for the import of relief supplies might usefully be discussed at the same time.

840.50/2-1245

*The British Embassy to the Department of State*²⁰

His Britannic Majesty's Embassy refers to its *Aide-Mémoire* of June 8 and to the State Department's *Aide-Mémoire* in reply of the same date²¹ regarding the sharing of the burden of the cost of provision of civilian supplies on a combined basis to liberated and conquered areas in Europe outside their own territories, in so far as the burden does not fall on the United Nations Relief and Rehabilitation Administration. His Britannic Majesty's Embassy also refers to the Memorandum of the Canadian Embassy²² on the same subject, a copy of which was furnished to this Embassy.

2. In the light of the proposals which have since been considered by the United States Government, the Canadian Government and His Majesty's Government in the United Kingdom, it is recommended that the ultimate burden of the cost of provision of such supplies should be borne in the following manner:

²⁰ This memorandum was also given to the Canadian Government.

²¹ *Foreign Relations*, 1944, vol. II, pp. 312 and 313, respectively.

²² Dated June 2, 1944, not printed.

(i) That the United States, United Kingdom and Canadian Governments shall agree on the provision of the supplies required up to a value not exceeding \$1 billion;

(ii) That, unless other arrangements are mutually agreed upon, payment in full shall be requested of all governments or authorities of liberated or conquered areas to which such supplies are furnished;

(iii) That such amounts as prove to be irrecoverable from such governments or authorities shall be borne by the supplying governments in the following proportions:

by the United States	—67% of such irrecoverable amount
by the United Kingdom	—25% of such irrecoverable amount
by Canada	— 8% of such irrecoverable amount

(iv) That receipts collected from the recipient governments or authorities shall be divided as may be necessary in order that the ultimate deficit be shared in the proportion set out in (iii) above;

(v) That the three Governments shall consult together from time to time in order to decide whether a claim shall be maintained against any government or authority which at any time indicates its inability to meet any request for payment;

(vi) That if at any time it shall appear that the total irrecoverable deficit amounts or is likely to amount to 400 million dollars, the three Governments concerned shall consult together in order to consider whether civilian supplies can continue to be provided under this arrangement.

WASHINGTON, 12 February, 1945.

840.48/2-1445

The Canadian Embassy to the Department of State

MEMORANDUM

1. In its memorandum of June 2nd, 1944²³ the Canadian Embassy informed the Department of State of the willingness of the Government of Canada to participate with the Government of the United States and the Government of the United Kingdom in the provision of military relief supplies to Europe by temporarily financing orders placed in Canada and by sharing the ultimate net cost in proportion to Canada's military participation in the liberation of Western Europe. This proportion was estimated at approximately 8%.

2. In its reply of Sept. 12th²³ the Department of State informed the Canadian Embassy that the Government of the United States accepted the suggestion of an 8% participation by Canada in the ultimate cost of military relief in Europe.

3. On the basis of this exchange the Government of Canada proceeded with the measures necessary to enable the fullest use to be made

²³ Not printed.

of Canada as a source of supply in the confident expectation that arrangements would be made to ensure that Canada's contribution to the ultimate cost would not exceed the agreed percentage.

4. Discussions among representatives of the three participating Governments have continued throughout the intervening period with a view to reaching formal agreement on the terms of the arrangement for providing military relief supplies on a combined basis. In these discussions it has now been made known that the Executive Branch of the Government of the United States is not in a position to undertake at this time to make such payments to Canada ultimately as may prove necessary to ensure that Canada's contribution to the final net cost shall be limited to the accepted share.

5. During this period responsibility for financing procurement has been conditionally accepted by Canada in excess of the \$45,000,000 (Canadian) made available by the Canadian Treasury Board for the purpose, and supplies have already been shipped or ordered for shipment to a value in excess of the agreed share of the anticipated maximum ultimate cost.

6. In the continued absence of the firm assurances to which it regards itself as reasonably entitled the Government of Canada is now compelled to reconsider its position. Accordingly, the Canadian Embassy has been instructed to inform the Department of State that, pending the outcome of this reconsideration, the Government of Canada is reluctantly taking the steps necessary to limit its commitments under the arrangement:

a) The Canadian authorities will endeavour to finance the procurement of those military relief supplies which have already been ordered.

b) The Canadian authorities are reserving the right to reconsider items on which responsibility for financing procurement has already been conditionally accepted, but which have not yet been ordered.

c) The Canadian authorities are ceasing, at least temporarily, to accept any further responsibility for financing the procurement of military relief supplies.

WASHINGTON, February 13, 1945.

840.48/2-2245 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, February 22, 1945—11 p. m.

393. Memorandum on problem of relief supplies for Europe was delivered to Secretary by Eden on last day of Crimea Conference with request that Molotov and Secretary consider the problem

promptly. No indication whether comparable memorandum delivered to Molotov.

[Here follows summary of memorandum printed on page 1067.]

Please advise Department whether this matter has been discussed with you and whether you have personnel who could conduct such discussions. Also Department would appreciate any views as to Soviet attitude toward distribution of food surpluses from areas uncovered by Soviet armies and any other comments on the Eden proposal.

GREW

840.48/2-2845 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, February 28, 1945—5 p. m.

[Received 11:27 p. m.]

586. ReDept's 393 February 22, 11 p. m. I did not see the memorandum on problems of relief supplies for Europe handed to the Secretary by Eden at the Crimea Conference nor had I heard of it before. The food supply in the Soviet Union is still extremely short. All information available from conquered and liberated areas, including eyewitness reports of our ex-prisoners of war from Poland indicate that the Red Army is largely living off the country, particularly in the forward areas. It may be assumed that it is the Soviet Government's intention to use all surplus foods in the areas occupied for their own purposes for a considerable time. It is difficult to believe that we will be able to induce the Soviet Government to change this policy as long as their own people are badly off for food, particularly as they have been through a number of years of subnormal diet. Soviet Government may, however, be willing to make some generous gestures in direct dealings with Czechoslovakia and Yugoslavia. I would expect that any relief to shipping would come only through the reduction in the importation of food to the Soviet Union under Lend Lease. I would be somewhat more hopeful in connection with other commodities. We have indications the Russians are ready to consider giving us some petroleum products from Rumania, including bunkers. I believe that the whole subject is a matter which should be studied with the Soviet Government but I feel strongly that we should be making our plans for the immediate future regardless of these discussions, for the reasons I have given above.

When we have recognized the new government in Poland ²⁴ it may

²⁴ For documentation relating to negotiations for establishment of the Polish Provisional Government of National Unity, see vol. v, pp. 110 ff.

also be well to have direct discussion with it. Dr. Michael, Agricultural Attaché, would be a most useful and competent advisor in connection with the food discussions. He, however, left Moscow en route to Washington February 23. I would recommend that he return to Moscow at such time as these discussions take place. There are other individuals in the Embassy and the supply section of the military mission who could be helpful but I would recommend that some man familiar with the subject in all its aspects be sent from Washington to head up the negotiations.

HARRIMAN

President Roosevelt to the British Prime Minister (Churchill) ²⁵

WASHINGTON, February 28, 1945.

710. I have been advised that the Supreme Commander, Allied Expeditionary Forces requires an additional 69,000 tons of food during March to meet civilian supply contingencies arising in the 21st Army Group area of Belgium and Holland. SCAEF ²⁶ advised the Combined Chiefs of Staff of these needs in Scaf ²⁷ 215 dated 25 February 1945.

In order to meet these needs it will be necessary for the supplies to be shipped from the UK to the 21st Army Group. I understand that the British Government is now considering whether the 69,000 tons should be drawn from the stockpile now allocated to SCAEF for use in the B-2 area of Holland (eastern Holland). If so, it appears obvious that the withdrawal from the B-2 stockpile must be covered by immediate replacement from stocks now in the U.K.

I hope you will see your way clear to have the U.K. agree to replace the Dutch B-2 stockpile to the extent required to protect SCAEF against anticipated Dutch civilian supply needs.

ROOSEVELT

The British Prime Minister (Churchill) to President Roosevelt ²⁵

LONDON, March 2, 1945.

902. Reference your telegram Number 710.

1. The total deficiency amounts to 109,000 tons, 51,000 tons for March arrival and 58,000 tons for April arrival. We have already made arrangements to meet the 51,000 tons for March arrival by

²⁵ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

²⁶ Supreme Commander, Allied Expeditionary Force.

²⁷ Military communications indicator.

diverting 30,000 tons of wheat in transit to U.K. and 21,000 tons ex SHAEF's general reserve held by us for them in this country. The April deficiency will have to be met from U.K. stocks as there is no time to meet the demand from any other source.

2. We cannot meet certain items at all because we have no stocks available. These details are being arranged with the agencies concerned.

3. I want to impress upon you that we shall require immediate replacement of a large part of these food stuffs, and the provision of ships to carry them.

4. I am sure that the problem will turn out to be bigger than these figures. British Officers are now discussing the matter with SHAEF and will be returning tomorrow. I will send you a further telegram on editing their report.

PRIME

840.50/2-1245

The Department of State to the British Embassy

MEMORANDUM

The Department of State refers to the British Embassy's memorandum of February 12, 1945 explaining the manner in which the British Government proposes to account for the lend-lease element in any civilian supplies provided by the United Kingdom to liberated and conquered areas. The Department takes pleasure in confirming that the arrangements which the British Government proposes to adopt are satisfactory to the Government of the United States.

The Department of State is advising the appropriate authorities of the United States Government of the contemplated arrangements in order that the necessary steps may be taken, in cooperation with representatives of the British Government, to work out the detailed procedures for implementing these arrangements.

WASHINGTON, March 3, 1945.

840.50/2-1245

*The Department of State to the British Embassy*²⁸

MEMORANDUM

The Department of State refers to the British Embassy's memorandum of February 12, 1945 in which are set forth the recommendations of the British Government as to the manner in which the ultimate burden of the cost of provision of civilian supplies on a combined

²⁸ A similar communication was addressed on the same day to the Canadian Embassy.

basis to liberated and conquered areas in Europe should be borne, in so far as the burden does not fall on the United Nations Relief and Rehabilitation Administration. The Department understands that a similar communication has been addressed by the British Government to the Canadian Government.

The proposals contained in the Embassy's memorandum under reference are acceptable to the Government of the United States. The Department of State is also informing the Canadian Embassy at Washington of the views of the Government of the United States. The Department suggests that, if the proposals are acceptable to the Canadian Government, they shall be considered as constituting an agreement among the three governments.

WASHINGTON, March 3, 1945.

840.50/3-645 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State ²⁹

LONDON, March 6, 1945—7 p. m.

[Received March 6—5 : 35 p. m.]

2301. From Judge Rosenman. Upon my arrival I was shown copy of Mr. Eden's letter and memorandum dated February 7 and February 11 at Yalta to you on subject of supplies for liberated areas and your acknowledgement of February 10 and February 11 ³⁰ promising a full reply immediately upon your return to Washington.

In view of fact that the proposals in Mr. Eden's letter cut broadly across the field of the survey which I have undertaken for the President it occurs to me that you may wish to delay a definitive reply to Mr. Eden at least until my tentative conclusions have been reached and forwarded to the President. I have with me in London representatives of the various agencies involved viz. FEA, State, Treasury, and Civil Affairs of the US Army, and we are studying the various matters suggested in the above correspondence on the ground here and in France, Belgium and the Netherlands.

In any event I should greatly appreciate seeing the text of your reply, if possible, in advance of its delivery. [Rosenman.]

WINANT

²⁹ This message was transmitted by the Acting Secretary of State to the Secretary of State who was at this time in Mexico City participating in the Inter-American Conference on Problems of War and Peace. For documentation relating to the Conference, see vol. ix, pp. 1 ff.

³⁰ Letter of February 11 to Mr. Eden not printed; see footnote 19, p. 1067.

840.50/3-845 : Telegram

The Ambassador in Mexico (Messersmith) to the Secretary of State

MEXICO CITY, March 8, 1945—10 a. m.

[Received 4:55 p. m.]

343. For the Acting Secretary from Secretary Stettinius. Please transmit the following message to Judge Rosenman in London:

"Your message has just reached me in Mexico City. I shall not reply in any form to Eden's letter and memorandum of February 7 and 11 written to me at Yalta until full consultation with you. This, of course, can be postponed until your return if your trip is not to be extended beyond the time we discussed when we last talked. On the other hand, if you now plan to be gone an extended period, you might give me a suggestion along the lines you feel it would be appropriate for me to respond to Eden.

We have had a great success in Mexico City. I send to you my warmest cordial greetings."

MESSERSMITH

840.50/3-945 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 8, 1945—8 p. m.

[Received March 9—7:42 a. m.]

2407. Judge Rosenman requests the following message be delivered to the President.

"During my absence the members of the Mission have held discussions and accumulated information on various aspects of the supply problems for NW Europe liberated areas. The members of the Mission have worked closely with the Embassy and MEA³¹ which have made available to them their knowledge and experience. Several discussions have also been held with technical personnel of the British Government with particular reference to the organization procedure and functioning of the British machinery for liberated area's policy and supply problems. Considerable preliminary information has been secured as to current economic and social conditions in France, Belgium and Holland. Conversations have been held at the technical level with representatives of the Dutch, Belgian and Norwegian Governments and with UNRRA officials.

"The principal topics examined by the members of the Mission here were as follows: Shipping, port facilities and port clearance; inland transport; coal; petroleum; trade with neutrals; and British stock-piles and the effects of VE day on availability of supplies and UK exports to liberated areas. All these topics, except those directly relating to UK will be examined further on the Continent and the information secured here checked against field reports and observations.

³¹ United States Mission for Economic Affairs.

In addition, informal conversations have been held with British and Dutch officials on the extent of destruction, the problems of reconstructions and possible financial assistance which may be required from outside sources. Officials both Governments though willing to furnish available information feel that conversations on these topics are not timely.

"British liberated machinery: The members of the Mission have been very cordially received by their British opposite numbers and have had a good view of the organization in London. They have been impressed both by the high level at which liberated area's problems receive constant attention and by the use of the secretariat system to achieve integration between the various departments concerned.

"International organizations: Members of the Mission have joined in some of the preliminary discussions concerning the European Economic Committee.

"While I am here I will be talking with Ambassador Winant; the Prime Minister and Foreign Secretary (with Ambassador Winant); Lord Keynes;³² Richard Law, Minister of State; Oliver Lyttelton, Minister of Production; Lord Leathers, Minister of War Transport; Sir James Grigg, Secretary of State for War; Colonel Llewellyn, Minister of Food; Sir John Anderson, Chancellor of the Exchequer; Thomas Brand, Chairman of SLAO [*SLAC*];³³ Lt. General John Chalaz,³⁴ Commander General, Headquarters Communications zone, ETO; Sir N. Frederick Leith-Ross and Hugh Jackson of UNRRA; the Prime Ministers and other officials of Holland and Norway and our Ambassadors Hornbeck and Osborne."

WINANT

*President Roosevelt to the British Prime Minister (Churchill)*³⁵

WASHINGTON, March 10, 1945.

712. Reference your Number 902 of 2 March 1945.

1. I am gratified to learn that you are making arrangements to meet the March and April deficiencies for the 21st Army Group from U.K. stocks.

2. I share your concern that the problem will prove to be larger than the figures involved in this emergency. I am also very much concerned about the problem of the replacement of your foodstuffs as well as provision of the necessary ships. It seems to me now imperative that discussions be resumed here in the immediate future as to these questions and as to the availability of foodstuffs from sources in U.K. and elsewhere in addition to United States.

3. Eisenhower's estimates of future requirements for Northwest Europe are of such large proportions that they present most difficult

³² John Maynard Keynes, Financial Adviser to the British Government.

³³ Supplies for Liberated Areas Committee.

³⁴ Presumably Lt. Gen. John C. H. Lee, who commanded the Communications Zone of the European Theater of Operations (ETO).

³⁵ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N.Y.

problems of shipping availability and inland transport in the United States. Of the 772,000 tons allocated for subsistence procurement responsibility for Northwest Europe for June and July only 20 tons are allocated to the U.K., the remainder being U.S. responsibility. As the total allocations are only about one-half of Eisenhower's recent estimates it is obvious that discussions leading to definite conclusions must be instituted now between fully authorized representatives of our respective governments and we are prepared to resume such discussions now.

4. I think that the questions you raise in your Number 902 will have to be considered as part of the overall problem which I am most anxious to have fully explored and determined in the immediate future. I should appreciate word as to when your representatives may be expected.

ROOSEVELT

840.50/3-1145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 11, 1945—5 p. m.

[Received 5:17 p. m.]

2531. We appreciate the Department's 1384, February 23 repeated to us for information.³⁶

1. We consider that the proposed United States-United Kingdom-USSR discussions in Moscow on general questions of supply and transport in eastern Europe would be of great value. The matter has been discussed with Judge Rosenman and members of his Mission who share this opinion. The Moscow discussions would be complementary to the work of the Rosenman Mission in northwest Europe.

2. The results of the discussions in Moscow should in our opinion be available not later than May 15th to allow time for their consideration before the next UNRRA Council meeting which has been suggested for May or early June.

3. British officials here have indicated tentatively that, if the meeting is held, they might send three members, one from Foreign Office, one generally familiar with supply matters and third with qualifications as yet unstated. The two latter would be at the technical or operating level. The possibility of a Minister leading the party is not excluded. Brand and Hasler appear to us to be likely candidates. It might therefore be desirable to select United States members with a view to complementing British in special knowledge or experience.

³⁶ Not printed; it repeated to London the substance of telegram 393, February 22, to Moscow, p. 1070.

4. The British have had no word from Soviets on the subject since delivery of memorandum to Molotov at Yalta on February 11. Clark-Kerr³⁷ is being instructed by cable to expedite a Soviet reply.

5. If the Department and the Soviet agree to the United Kingdom proposal and if the Department wishes to consider the inclusion among the United States group of any personnel from London we would make the following suggestions:

Loyd Steere, Agricultural Attaché, for his knowledge of European food problems, and Winthrop Brown, MEA, for his knowledge of supply and shipping matters. In addition we suggest Rupert Emerson of the Rosenman Mission, who is familiar with UNRRA and liberated areas matters and who would create a useful link with the work of the Rosenman Mission.

WINANT

740.00119 EAC/3-1145 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary of State*³⁸

LONDON, March 11, 1945—5 p. m.

[Received 5 : 23 p. m.]

2532. In reading over the Embassy's 2531, March 11, I would like to make the following comments and request a firm commitment by the Department in its reply to the question which I have raised.

In the first place the above message was worked out by the London section of the MEA. You will remember that Hawkins³⁹ was rejected as head of that Mission and that Blaisdale [*Blaisdell*],⁴⁰ who was appointed more than a month ago, has not yet reached London. Therefore, it is without top guidance. I have felt that since the substance related to a matter that you had taken up personally at Yalta that you would want me to forward it. However, after talking with Judge Rosenman and the MEA people responsible for it in the Embassy, I wanted you also to know that they were in agreement with my comments and do not wish to interfere with the work of the European Advisory Commission.

Some months ago I made a collection of all British and United States negotiations that were being conducted at the time and that

³⁷ Sir Archibald Clark Kerr, British Ambassador in the Soviet Union.

³⁸ Ambassador Winant was the American Representative on the European Advisory Commission meeting in London. For documentation regarding the work of this Commission, see vol. III, pp. 1 ff.

³⁹ Harry C. Hawkins, Counselor of Embassy for Economic Affairs.

⁴⁰ Thomas C. Blaisdell was formally notified of his appointment as Chief of Mission for Economic Affairs in London by President Roosevelt in his letter dated March 13, 1945. For text of letter, see Department of State *Bulletin*, March 18, 1945, p. 440.

were available to me, in order to throw some light on Russian methods of negotiation and objectives. I did this to help me in my work with the European Advisory Commission.

In tabulating their approach to problems in the enemy occupied areas of Germany, in UNRRA discussions and elsewhere, it was evident that their concern for the defeated Allies was plainly secondary to satisfying the demands of the three military powers that were responsible for the defeat of Germany. They were completely frank in asking for priority for Russian claims over those of overrun European Allies and there was complete confirmation of this approach in the discussions on reparations at Yalta.

On all the evidence that is available to us there has been and still is extreme suffering and want and wanton destruction in the invaded areas of Russia. I understand and sympathize with the British proposal which, as this message indicates, has support from some of our people, to persuade Russia in joining in contributing to the total need of those suffering from want and need in both eastern and western Europe. The argument is based on the assumption that the Russians have been able to recapture those areas in the east that are referred to as the bread basket of Europe.

Whatever the position of the State Department may be in relation to Russian aid in eastern Europe, with its present knowledge of the political situation in Rumania and Poland, it involves an area completely outside my jurisdiction.

The question which concerns me is the discussion of Russian aid in western Europe with its political implications and direct impact on the work of the European Advisory Commission. It would be very easy in informal consultations by a joint United States-British Mission to Moscow to raise points in regard to the surplus food production in the Russian zone in Germany that would destroy any bargaining power that I might have in negotiating to protect the consumption needs in the American zone without even being aware that there was such a problem.

The same thing could have happened in the ECO ⁴¹ in relation to coal in Germany if we had not had complete coordination between the ECO and the European Advisory Commission because of Hawkins and Penrose.⁴² There is no coal in the United States zone of occupation of Germany.

The question I want to raise and on which I want a firm answer is whether or not you will so coordinate the work of special missions and the establishment of other inter-Allied authorities as not to interfere with the terms of reference of the European Advisory Commis-

⁴¹ European Coal Organization.

⁴² E. F. Penrose, Adviser and Special Assistant to Ambassador Winant.

sion. It is impossible to negotiate successfully if, without notice, there is interference in the assigned area of jurisdiction of the Commission.

I am sure you will understand this.

WINANT

840.50/3-1445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 14, 1945—8 p. m.

[Received 11:05 p. m.]

2638. Judge Rosenman requests the following message be given to the President:

I have had personal talks in London with the Prime Minister and Messrs. Attlee, Anderson, Law, Lyttelton, Leathers, Grigg and Llewellyn of the British Cabinet.

From the talks thus far held, the following is a consensus of views of the members of the British War Cabinet. The northwest European supply problems which are most acute are food, coal and those in connection with transportation equipment (trucks, rolling stock, locomotives and maintenance equipment). Lack of internal transport causes serious dislocation of available local supplies and hampers the movement of imported supplies. This is true throughout northwest Europe. British opinion is that the food situation in France is basically not serious. In Belgium it is improving. All are however deeply concerned with conditions in Holland. The food consumption in liberated Holland is stated presently to be in the neighborhood of 1800 calories per day. In occupied Holland however it is said to have fallen to less than 400 per day and disease and death by starvation are already prevalent. Every effort is now being made to build up stocks in Belgium for use immediately upon liberation of areas in northern Holland. The British stress that as the Allied Armies advance in Holland the present food supply problem will become greatly intensified in view of the fact that western Germany is a food deficit area and that importation of food will be required to feed displaced United Nations persons as well as to provide minimum subsistence among the civilians behind the military lines. Am sending you by courier pouch an interim report on the food problem of northwestern Europe.

The British recognize that the British food stocks are the only source which can be drawn upon quickly for western Europe in case of emergency. They are prepared as in the past to release food to the extent possible to meet emergencies but emphasize that this can at best provide only temporary and limited relief and that such released food should be replaced as soon as possible and that their food stocks must be maintained in order to meet such emergencies.

Some of the British Ministers lay great stress upon the proposal made by Eden to Stettinius and Molotov at Yalta that a conference be held as early as possible at Moscow to discuss among other things

the possibility of providing food from the surplus food producing areas under Russian control to northwest Europe. Others of them would like to try it but do not hold out much hope of success. I have discussed this with Ambassador Winant and he has sent a cable on the matter to our State Department (Embassy's 2532, March 11).

The British are also much concerned with the coal shortage which prevails throughout northwest Europe. They believe that while it may be possible eventually to obtain some coal from western Germany this will require the provision of food for miners, the reorganization of mining which is now largely carried on by impressed foreign labor and the probable necessity of supplying some mining machinery to repair damaged mines. Transportation of coal will of course continue to be a serious problem. The British maintain that little if any coal can be made available from the United Kingdom. They hope that some assistance to the general problem will result from the establishment of the proposed European coal organization but they point out that lack of coal will constitute the limiting factor in all industrial activity in northwest Europe.

The British are gratified at the allocation of additional shipping for continental civilian supplies for the next 3 months. They fear however that this relief will be temporary only and they urge strongly that maximum supplies be made available and ready for shipment in order that the fullest possible use be made of the ships which have now been allocated in view of the expected renewed shipping shortage later on.

British feel time has arrived to combine army civil affairs program with national program for France and that we should move rapidly as possible in that direction in other countries.

The foregoing is a summary of British point of view.

I also conferred with Lord Keynes and have already cabled you fully concerning that interview.

Talks have also been held here with Dutch and Norwegian representatives in London. The Mission is proceeding to Paris today.

WINANT

840.50/3-2145 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, March 21, 1945—10 p. m.

[Received March 22—3:27 p. m.]

1351. 1. Judge Rosenman requests the following message be given to the President :

2. Since my arrival in Paris I have had personal talks with Ambassador Caffery and several members of the Cabinet, including Bidault, Mendes France, Lacoste, Dautry, Mayer, Pleven, Ramadier and Billoux. I have also had detailed discussions at SHAEF and with our Embassy staff covering the whole range of civilian supply for liberated areas and related problems in France, Luxembourg, Belgium, the Netherlands and Norway. I have talked with General W. Bedell Smith⁴³ and I expect to see General Eisenhower in the near

⁴³ Chief of Staff, Supreme Headquarters, Allied Expeditionary Force.

future. Ambassador Caffery is also arranging for me to see General de Gaulle ⁴⁴ on Saturday,⁴⁵ at which time I shall deliver to him the letter which you gave me.

3. Insofar as France is concerned, I am of the opinion that unless it is possible from some source to provide France with more coal than was available in the past winter and with a better balanced diet the cumulative effect of the strains to which the people have been subjected in the past may have consequences of a very serious nature. It is agreed by everyone that coal is the key log in the jam. There appears little likelihood that French domestic coal production can be appreciably increased and you are familiar with the limiting factors of world supply and shipping insofar as imports of coal into France are concerned.

4. Next to coal the major problems appear to be difficulties of internal transport which impede effective distribution of indigenous food resources and certain important dietary deficiencies, notably fats and meat.

5. Once these elementary needs of heat, power distribution and diet are met there is entire agreement that necessary raw materials must be imported to enable industry to start turning over once more and employing idle workers.

6. The problem is serious and complex. I have endeavored in this message only to emphasize its gravity and highlight its major aspects. I shall place in your hands at the earliest possible moment my specific recommendations.

7. In conversations with Plevin and French financial people concerning French requirement for financial assistance for rehabilitation and reconstruction the view is general that France will require assistance on a large scale. Plevin has stated that France will make use of the proposed International Stabilization Fund and the International Bank which are currently under discussion by Congress. Plevin was of the opinion that conversations regarding this matter should begin in early summer when France's needs will be more readily determinable than at present.

8. I plan to leave soon for Luxembourg, Belgium and the Netherlands.

CAFFERY

840.50/4-145 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, April 1, 1945—11 a. m.

768. 1. After full discussion, it is Department's present view that tripartite conversations in Moscow along the lines suggested in Eden's memorandum delivered to Secretary at Yalta ⁴⁶ would not serve a useful purpose now. This memorandum suggested discussions be-

⁴⁴ Gen. Charles de Gaulle, Head of the Provisional French Government.

⁴⁵ March 24.

⁴⁶ Memorandum of February 11, p. 1067.

tween the US, UK and USSR on the maintenance and stimulation of food and other essential production in liberated and enemy territories, particularly Eastern Germany, Hungary and Rumania, and discussions about coordinating imports into deficiency areas both from overseas and from surplus areas. The factors which prompt Department's views are as follows:

2. The maintenance and stimulation of production in the South-eastern European ex-enemy countries could not be discussed as a supply problem only since there would be involved the policies of the control commissions and the execution of armistice terms. The same subject as applied to Eastern Germany would fall within the scope of the European Advisory Commission and also would be related to the scheduled reparations discussions in Moscow. The European Economic Committee, whose creation is now being discussed in London, would have within its proposed scope some aspects of this problem as well as the coordination of distribution of surpluses. Concurrent talks in Moscow would seem to be a partial duplication, at least. Likewise, the movement of supplies from Eastern Germany would directly involve reparations problems.

3. Qualified observers doubt whether there will be surpluses available for distribution to deficiency areas outside the Soviet zone of operations from areas liberated by Soviet Army due not only to that Army's practice of living off the land, but also to shipments now being made from those areas into the Soviet Union and the probability that forthcoming production of essential commodities in those areas will be greatly reduced.

4. In addition to the reasons given above, it is considered very doubtful that factual discussions on supply availability could now be held in Moscow. Such discussions would probably be used as an occasion for raising political and other collateral issues which should be handled in another manner. It is believed that the creation of a new three party discussion group would produce added complications out of all proportion to the results that could be anticipated.

5. Accordingly, Department proposes to send memorandum to London for delivery to British Government expressing the view that it would not be desirable to follow up the proposals of the Eden memorandum at this time but rather to leave them in abeyance until the completion of the discussions on the European Economic Committee unless during the course of the reparations discussions it appears advisable for the subject to be brought up there. Please transmit urgently any comments which you would care to make.

6. Seriousness of supply situation, particularly of food, and increasing requirements necessitate however a critical review of exports

from US, including protocol shipments.⁴⁷ It is probable that the shortness of supply will limit future commitments and may affect performance on outstanding programs. Reference War Department's cable, March 29, to you from Protocol Committee discussions are proceeding here as to action to be taken in the circumstances with respect to protocol negotiations which will soon take place and also as to what steps, if any, can be taken to minimize requirements stated against US supply. You will be kept informed.

Repeated to London as no. 2517.

STETTINIUS

840.50/4-445 : Telegram

*The Acting Secretary of State to the Ambassador in France
(Caffery)*⁴⁸

WASHINGTON, April 4, 1945—6 p. m.

1339. Department has today addressed notes⁴⁹ to missions in Washington of French, Belgian, Netherlands, Luxembourg, Norwegian, Greek, and Yugoslav Governments informing them that payment will be expected for civilian supplies delivered to them during the period of military responsibility and that bills for such supplies will be rendered to them by the combined military authorities. Details as to desired payment arrangements will be communicated at the time of the first billing (which is expected to be in the relatively near future). Text of note will be sent you by mail. Department understands British and Canadian Governments are addressing similar notes today to these Governments through their missions accredited to the Governments.

Additional paragraph to be included in telegrams to Athens and London.

In the case of Greece and Yugoslavia, the missions were informed orally that we recognize the difficulties of their financial position will not permit them to make current payment for the supplies and that the

⁴⁷ For text of the Fourth Protocol, covering the period from July 1, 1944, to June 30, 1945, signed on April 17, 1945, by the United States, the United Kingdom, Canada, and the Soviet Union, see Department of State, *Soviet Supply Protocols*, p. 89. There were three former agreements of this kind signed in October 1941, October 1942, and October 1943. The Protocol covered the provision of supplies to the Soviet Union in furtherance of the war against the common enemy. For further documentation on wartime and postwar assistance to the Soviet Union by the United States, see vol. v, pp. 937 ff.

⁴⁸ Repeated on the same date to London as No. 2614, for the Mission to the Norwegian Government as No. 10, and for the Mission to the Netherlands Government as No. 18; to Brussels as No. 256; to Caserta for the American Political Adviser as No. 301; to the Mission to the Yugoslav Government as No. 39; to Luxembourg as No. 9; and to Athens as No. 295.

⁴⁹ None printed.

purpose of the note is primarily to record the fact of their indebtedness. For your information, we desire that the onus of stating the inability of these Governments to make payment should rest upon them.

ACHESON

840.48/4-1645

Memorandum by the Secretary of State to President Truman

[WASHINGTON,] April 16, 1945.

The current discussions of food supplies and requirements in connection with the visit of Captain Lyttelton and Colonel Llewellyn have already verified the critical character of the world food situation. Without drastic action and a reduction of consumption to essentials, the minimum needs of the United Nations will not be met in several categories of foodstuffs. Although the current talks may be limited to food, the same conclusion applies to other commodities, notably cotton and wool textiles and coal. I am sure I do not need to stress the disastrous political and economic results which may be expected if countries dependent on food imports, especially the liberated areas, have to go through another winter of want such as the last. The return of their deportees from Germany and the slackening of war tension at the end of European hostilities will aggravate an already critical situation. The success of any plans agreed upon at San Francisco ⁵⁰ can be seriously jeopardized, if not defeated, by internal chaos in the liberated countries.

I believe that the exchange of cables between President Roosevelt and the Prime Minister ⁵¹ contemplated that the review of food supplies and requirements should cover the levels of consumption and stocks of both the armed forces and the civilian populations. In the current discussions, the military authorities have taken the firm position that their requirements, as stated, are not subject to discussion whether they pertain to combat troops, inactive troops, prisoners of war, or civilians. They have likewise asserted that military reserves and the management of supplies are not open to question. At a time when military consumption of sugar, for example, has been estimated as high as 175 pounds per year per capita and it has been proposed to cut U.S. civilian consumption below 70 pounds, the military position seems untenable, particularly when the British intend to bring their own military requirements into the discussions. Sugar is only one

⁵⁰ For documentation regarding the United Nations Conference at San Francisco, April 25-June 26, 1945, see vol. I, pp. 1 ff.

⁵¹ See telegrams 710, 902, and 712, dated February 28, March 2, and March 10, pp. 1072, 1072, and 1076, respectively.

example; there are a number of other similar cases. The current discussions cannot be comprehensive unless the broad scope outlined in the cables between President Roosevelt and the Prime Minister is adhered to. I earnestly recommend, therefore, that you instruct the military authorities accordingly, so that they will cooperate fully in the current discussions and contribute to the fullest extent possible to the solution of this critical situation by justifying their requirements and reviewing their supply procedures. In this connection, I should recall to you that the partial alleviation of the shipping crisis last winter was only achieved by similar action on President Roosevelt's part.

On the side of U.S. domestic requirements, certain of the civilian agencies seem reluctant to carry out the "tightening of the belt" anticipated by President Roosevelt without further instructions from you. Until the food discussions have progressed further, it is impossible to state with any accuracy the cuts which will be necessary if we are to reach an acceptable solution to the current crisis. In view of the great importance of reaching a solution, however, I also recommend that you instruct the appropriate civilian agencies, particularly the War Food Administration, to explore all possible reductions in U.S. consumption which would not cut into the maintenance of our essential war economy so that recommendations can be made as to what action could be taken by this country to meet the problem.

In conclusion, I should like to call to your attention the desirability of bringing before the American public and the Congress, at an appropriate time, both the facts of the food situation and this country's vital interests abroad. I believe that it is only against a background of enlightened public opinion that the necessary decisions can be made acceptable.

840.5018/5-345

Memorandum of Understanding Reached Between Representatives of the United States, United Kingdom, and Canada at Tripartite Food Discussion in Washington

Representatives of Canada, the U.K. and the U.S. have together examined the supplies and requirements for 1945 of the major food-stuffs in short supply.

With the notable exception of wheat and flour, supplies of most foods are inadequate to meet stated requirements, including those of liberated areas. In view of the urgent need of food in the liberated areas the three countries are prepared to make every reasonable effort to make available essential food requirements consistent with the effective prosecution of the war and the maintenance of productive capacity within each of the countries.

There is set forth in this memorandum proposed programs with respect to important commodities which represent the intentions of the three countries in 1945. These programs will be reviewed by the Combined Food Board machinery prior to June 1 and again prior to September 1 and firm allocations will be made on a quarterly basis by the appropriate supply agencies of the participating countries, after discussions with other countries affected by the recommendations. In the Combined Food Board review the representatives of the three participating countries will be guided by the principles set out in the attached statements.

The plans set forth herein are subject to approval by the Governments of the three countries.⁵²

Any adjustment of supplies to the U.S.S.R. consequent upon the carrying out of the plans set forth herein are subject to consultation with the President's Soviet Protocol Committee in the U.S., the Allied Supplies Executive in the U.K., and the Canadian Mutual Aid Board in Canada.

In so far as adjustments in supplies in Civil Affairs programme are necessary in consequence of the carrying out of the plans herein set forth they will be subject to consultation with the Combined Civil Affairs Committee.

The following commodities are covered.

- I Sugar
- II Oils and Fats
- III Meat
- IV Dairy Products (except butter)
- V Wheat
- VI Rice
- VII Canned Fish
- VIII Beans and Peas

[Here follow programs of allocation for above commodities.]

WASHINGTON, 27 April, 1945.

840.50/4-2845

The Canadian Embassy to the Department of State

MEMORANDUM

With reference to the *aide-mémoire* dated March 3, 1945 from the Department of State⁵³ the Canadian Embassy has been instructed to reply that the Canadian Government received a memorandum from the United Kingdom Government under date of Feb. 12, 1945⁵⁴ in

⁵² Such approval was given, the Canadian Government making an amendment in respect to the amount of meat to be supplied by Canada.

⁵³ See footnote 29, p. 1073.

⁵⁴ See footnote 20, p. 1068.

which were set forth the recommendations of the United Kingdom Government as to the manner in which the ultimate burden of the cost of the provision of civilian supplies on a combined basis to liberated and conquered areas in Europe should be borne, so far as the burden does not fall on the United Nations Relief and Rehabilitation Administration.

In replying to this memorandum the Canadian Government informed the United Kingdom Government that the Canadian Government is in general agreement with the recommendations made in the memorandum under reference, subject, however, to the following reservations:

1. In the absence of a firm assurance from the Government of the United Kingdom and Government of the United States that they will make whatever payments may be necessary to ensure that the ultimate deficit will be shared in the proportions agreed on if the division of receipts collected from recipient governments does not produce this result, the Canadian Government cannot undertake to bear a share of the financing of the original procurement of the supplies disproportionate to the shares borne by the other two governments.

2. As the original offer of the Canadian Government contemplated a contribution to the cost of military relief rather than to the cost of the provision of civilian supplies on a combined basis to liberated and conquered areas in Europe insofar as the burden does not fall on UNRRA, the Canadian Government cannot undertake any commitment in respect to any projects for furnishing supplies on a combined basis which go beyond the provision of military relief unless these projects are expressly approved by the Canadian Government.

The United Kingdom Government has acknowledged receipt of this reply, taking note of the reservations of the Canadian Government.

The Canadian Government accepts the suggestion that the proposals contained in the United Kingdom memorandum of February 12, 1945 should be regarded as constituting an agreement among the three governments. Since, as was anticipated in the preliminary discussions, the Canadian acceptance is subject to qualifications, it will be appreciated if the Canadian Embassy might have a reply from the Department of State taking note of the Canadian reservations.⁵⁵

WASHINGTON, April 28, 1945.

[For text of a joint United States–United Kingdom–Canadian press release of April 30, 1945, setting forth in general terms the nature of the tripartite food discussion in Washington, see *Documents on American Foreign Relations, 1944–1945*, volume VII, page 667. For sum-

⁵⁵ In a memorandum of May 26, the Department acknowledged this memorandum and stated that it took note of the two Canadian reservations (840.50/4–2845).

mary of report by Samuel I. Rosenman to President Truman, dated April 26, 1945, on the matter of civilian supplies for the liberated areas of northwest Europe, following his mission to countries in that area, see press release by the White House, May 1, 1945, Department of State *Bulletin*, May 6, 1945, page 860.]

840.50/4-145 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, May 1, 1945—5 p. m.

986. Redepitel No. 768 of April 1, 1945. Informal discussions have been held here with British Embassy representatives on Eden's memorandum concerning Eastern European food surpluses.

They have dispatched a cable to British Government after clearance with us substantially along following lines.

Summary. US agrees that problem of maximum utilization of indigenous European resources is a serious one and that UK and US can have only a limited responsibility for food in Eastern Europe and the Balkans except for Greece. US believes that the various countries in this area present separate problems and it is not feasible to discuss them as a whole. It is doubtful that supply discussions can be conducted on a strictly technical basis with the Soviets because broader questions of policy will be inevitably linked with them. It is the US belief that the problem of using food in Western Germany from Eastern Germany would appropriately fall within the reparations discussions and the discussions of EAC and could usefully be taken up in connection with the reparations talks in Moscow if there were present food experts and representatives familiar with EAC. Polish and Czechoslovakian supply problems involve matters of policy pertaining to UNRRA and other supply arrangements viz. lend lease upon which definite conclusions cannot be reached without further analysis. The distribution of any surpluses from satellite countries and production of food in those areas should be discussed in connection with the supply policy toward the Soviet Union. US therefore desires more careful analysis of specific problems and does not believe general discussions at this time in Moscow would be of value. *End summary.*

Certain aspects of the question of East European food surpluses will unquestionably come up in connection with discussions in EAC on German policy and in the reparations discussions at Moscow. We shall press in EAC and in Moscow for early acceptance of the principle

that there must be equitable interzonal distribution of food available in Germany and that food shipments from Germany, whether for reparation account or otherwise, shall not be permitted on a scale that would require us to provide sustained relief to Germany. We shall also insist both in the Moscow reparations discussions and EAC that if any imports of food into Germany or Austria prove necessary, payment for such essential imports should constitute a first charge on all German or Austrian exports. Actual procurement of any essential food imports for Germany or Austria must, however, be left to the control authorities in those countries. Lubin's⁵⁷ staff does not at present include food experts since we are assuming that the Embassy's agricultural experts will be able to supply such advice on food matters as will probably be required. If, however, the food aspects of reparation questions should require more detailed consideration than could be handled in this way, food experts might later be added to Lubin's staff.

In accordance with your recommendation the availability of food in Southeastern Europe for the support of Russian armies in those areas and as reparations to Russia will be considered in connection with future protocol shipments.

Regarding Czechoslovakia and Poland, our general view would be that such UNRRA supplies as are necessary to assist the local population to meet their basic needs should be sent to these countries. However until the Soviets agree that they will not consume or export food from those countries we question the advisability of our shipping in equivalent food supplies. In case they do not agree we should make it clear why we deem it necessary to curtail shipments of supplies. This problem in Czechoslovakia can be handled directly with the Czechoslovakian Government. In regard to Poland it will be necessary to act in accordance with future developments.

Repeated to London as 3416.

GREW

840.48/5-1545

The British Ambassador (Halifax) to the Secretary of State

AIDE-MÉMOIRE

1. His Majesty's Ambassador presents his compliments to the Secretary of State and has the honour to refer to the Memoranda transmitted by this Embassy to the State Department on June 8th, 1944⁵⁸ and February 12th, 1945, concerning the provision of relief supplies to liberated and conquered territories in Europe. In accordance with

⁵⁷ Isador Lubin, Associate United States Representative on the Allied Commission on Reparations.

⁵⁸ *Foreign Relations*, 1944, vol. II, p. 312.

the terms of these Memoranda it was agreed that the United States, the United Kingdom, and Canadian Governments should share in the provision of relief supplies to liberated and conquered areas outside the scope of the United Nations Relief and Rehabilitation Administration to a total value of \$1,000,000,000. and that the burden of such amounts as should prove to be irrecoverable out of this total should be borne by the three Governments in certain agreed percentages. It was further agreed that the position should be re-examined when it appeared that the amount which could not be recovered had reached \$400,000,000.

2. In the light of the information presently available, it appears that the limit of \$400,000,000. for irrecoverable expenditure referred to above has been reached, taking into account the forward commitments which have been made or which must immediately be made to meet the current requirements of the theatre commanders. His Majesty's Government in the United Kingdom do not feel able to agree to the extension of the arrangements hitherto in effect in respect of any additional financial loss. They propose, therefore, that in accordance with the agreed procedure the position should now be re-examined, and revised arrangements agreed.

3. As it is of the greatest importance that nothing should be done which would prejudice the continued flow of essential supplies to liberated areas and the orderly procurement of those supplies it would appear desirable that discussions as to an appropriate basis for the sharing of any additional financial loss above the present limit should be initiated immediately. His Majesty's Government hope that a speedy conclusion to those negotiations can be reached.

WASHINGTON, 15 May, 1945.

840.48/5-1545

The British Embassy to the Department of State

His Majesty's Government in the United Kingdom have asked for immediate re-examination by the United States Government and the Government of Canada of the future financing of military relief supplies in Europe as for their part they are unable to contemplate continued participation in an extended arrangement on the financial basis which has hitherto obtained.

2. Civil Affairs supplies provided by the United States, United Kingdom and Canada are now going forward to areas of Europe under the control of SCAEF and SACMED. Some of the countries in these areas can be regarded as able to pay for these supplies and some are unlikely to be able to do so. In order to consider any new arrangement as to the finance of relief supplies it is suggested that the position

of the countries for which a responsibility for provision of supplies has been assumed by the three governments should first be examined.

A. *SHAEF Area*

(I) *Liberated Countries in Northwest Europe*

(a) *France*: The provision of civilian supplies to France (with the exception of coal and P.O.L.⁵⁹) is no longer a responsibility of the Theatre Commander. It is expected that all Civil Affairs supplies furnished to France will be paid for by the French Provisional Government and arrangements are going forward to bill them accordingly.

(b) *Belgium*: The period of military responsibility for supplies to Belgium is still continuing and is unlikely to terminate before September 1st at the earliest. The Belgians would, however, appear to be able to pay for these supplies and the Belgian Government has been informed that payment will be expected.

(c) *Holland*: It is expected that Holland will also be able to pay for Civil Affairs supplies received. It is not at the moment possible to estimate how soon military responsibility for provision of supplies can be terminated in Holland.

(d) *Norway*: The position regarding Norway would appear to be the same as in the case of Holland. The military period is in any event likely to be short.

(e) *Denmark*: From the point of view of foreign exchange resources Denmark's position with regard to payment for Civil Affairs supplies is perhaps rather more doubtful, but, having regard to her position as an exporter of needed foodstuffs, there would not seem to be much room for doubt that arrangements can be made for Denmark to pay for any supplies which she receives on Civil Affairs account. These supplies in any event are likely to be small in quantity and value, with the exception of coal. In the case of Denmark also the period of military responsibility will probably be short.

(II) *Conquered Territory in Northwest Europe*

Germany: His Majesty's Government are glad to note that the view of the United States Government as to payment for supplies furnished to Germany is the same as their own, namely that the cost of such supplies should form a first charge on Germany's capacity to make foreign payments. It is the view of His Majesty's Government that Germany should be dealt with essentially as a problem on its own. At the present time no estimate can be made either of the length of time during which it may be necessary to furnish needed imports as a matter of military responsibility, nor of the type or quantity of such supplies. Equally, Germany's capacity to make payment for these supplies is extremely difficult to assess at this time. In these circumstances there must be recognition of the fact that there is no certainty of repayment.

⁵⁹ Petroleum, Oil and Lubricants.

Moreover, until the position has been clarified and German assets are available to pay currently for supplies there is a temporary financing problem for which a solution on a combined basis is necessary. His Majesty's Government agree that procurement of necessary supplies to Germany should continue on the lines of the June 8th Agreement, but at the same time consider that provision must be made against the contingency that Germany may not ultimately be able to pay in full. It is strongly recommended that some arrangement should be made for sharing this risk more widely than amongst the United States, Canada and the United Kingdom and under any such arrangement His Majesty's Government would expect that its share would be less than 25 per cent of any residual loss. It is further the view of His Majesty's Government that since the United Nations Relief and Rehabilitation Administration is charged with the duty of looking after displaced persons in Germany, it should assume financial responsibility for all supplies provided to such persons as soon as possible.

B. SACMED Area:

(1) Provision of supplies for Greece, Yugoslavia and Albania will shortly cease to be a responsibility of the United States, United Kingdom and Canada and the financial liability in respect of these supplies has already passed to UNRRA in respect of Greece and Yugoslavia and will shortly pass to UNRRA in respect of Albania. There is therefore no need to examine this problem in this context.

(2) *Italy and Austria:* The furnishing of civilian supplies to Italy during the progressive stages of liberation has now been the responsibility of the three participating governments for nearly two years and its cost already amounts to well in excess of \$200,000,000. Now that the war in Europe has ended it seems clear that the United States, United Kingdom and Canada can no longer be expected alone to bear the burden of bringing relief supplies to Italy. In the view of His Majesty's Government it would now be entirely appropriate to extend the field of activities of UNRRA both to Italy and Austria. Both countries will need to receive very substantial relief assistance. In His Majesty's Government's view the only satisfactory arrangement, bearing in mind the heavy tasks which will fall on the three Governments elsewhere, will be to place upon UNRRA the full responsibility for providing relief in these two countries. His Majesty's Government hope that the United States and Canadian Governments will be prepared to support a proposal to UNRRA on these lines. Such a proposal should, it is suggested, be considered at the UNRRA Council meeting in July.

His Majesty's Government consider, however, that if UNRRA is to be asked to undertake additional commitments in respect of Italy and Austria, the question of the provision of further funds for

UNRRA cannot be avoided, since it would be unlikely that the other members of the Council of UNRRA would agree to the assumption by the Administration of large new commitments for ex-enemy countries if this were to involve a contraction of the sums available for expenditure on relief in allied countries. This is the more likely in that many member Governments already regard the available resources of UNRRA as inadequate to ensure their basic relief and emergency rehabilitation. His Majesty's Government are therefore anxious to discuss possible means of supplementing the financial resources available to UNRRA.

In the first place it is suggested that additional sources of finance for UNRRA may be found by obtaining contributions from neutral and other countries. This particular question might well figure on the Agenda of the next meeting of the UNRRA Council, and His Majesty's Government would be interested to know how the United States Government considers that such further contributions could best be obtained. It is also hoped that other member governments whose burden of external indebtedness is not so heavy as that of the United Kingdom may feel able not only to meet the target contributions which were recommended at Atlantic City ⁶⁰ but to increase those contributions wherever possible. In so far as the United Kingdom is concerned, for supply reasons which are well known, the United Kingdom contribution to UNRRA is still far from being exhausted since only some £14,000,000. out of a total of £80,000,000. have been committed. This position is in contrast to that of other major contributors. His Majesty's Government would thus not feel able to consider the grant of further assistance to UNRRA until their contribution had been more fully drawn upon. When that situation arises His Majesty's Government will, of course, consider the matter further in the light of the then prevailing situation.

If the Council of UNRRA agree that responsibility for supplies to Italy and Austria should be undertaken by UNRRA the manner in which supplies provided to Italy as a military responsibility from the present time until UNRRA takes over has to be settled. The Council does not meet until July and although it is very difficult to estimate with certainty it seems probable that the limit of \$400,000,000. will have been reached in terms of deliveries on Civil Affairs account at some point in June. In order to prevent any additional loss falling on the United States, United Kingdom or Canada it would seem necessary to obtain the authority of the Council that UNRRA's financial responsibility in Italy be made retroactive, say to July 1st. The actual responsibility for procurement and shipment of supplies could

⁶⁰ See Department of State, *First Session of the Council of the United Nations Relief and Rehabilitation Administration: Selected Documents*, Atlantic City, New Jersey, November 10–December 1, 1943.

however continue to be discharged by the military authorities until such time as UNRRA was ready to take over on somewhat the same basis as the transfer of responsibility was carried out in the Balkans.

His Majesty's Government, however, desire to make clear that should the Council of UNRRA be unwilling to extend UNRRA's scope to Italy and Austria or should there be an intervening period between the reaching of the \$400,000,000 limit and the assumption of financial responsibility by UNRRA they, for their part, could only accept a liability for loss in respect of supplies furnished to these two countries in excess of the \$400,000,000. limit to the value of supplies and services made available from the United Kingdom and colonies. His Majesty's Government are nevertheless anxious that their external financial difficulties, of which the United States Government is aware, should not impede the flow of supplies to these areas and they would therefore, be prepared to continue to procure supplies on the basis of the June 8th, 1944 arrangement provided that revised arrangements are made by which the United Kingdom's ultimate financial liability in respect of these supplies will be limited to those furnished from the United Kingdom and colonies.

The proposals made in this memorandum may be summarized as follows:

(i) His Majesty's Government is prepared to continue to accept procurement responsibility for the provision of civil affairs supplies furnished on a combined basis (outside UNRRA) for Northwest Europe and Germany on the basis of the British Embassy's *Aide Mémoire* of June 8th, 1944.

(ii) So far as the ultimate financial responsibility for supplies to Germany is concerned

(a) His Majesty's Government agree that their cost should be a first charge on Germany's capacity to pay

(b) provision should be made against the contingency that Germany may not ultimately be able to pay in full by making an arrangement under which the risk is more widely shared

(c) the financial responsibility for supplies for displaced persons be assumed by UNRRA.

(iii) His Majesty's Government is prepared to continue to accept procurement responsibility on a similar basis for supplies to Italy and Austria on the understanding that the Governments of the United States and Canada support a proposal to the Council of UNRRA at its Third Session that UNRRA accept responsibility for these two countries and provided that any loss suffered by reason of the provision of such supplies to Italy and Austria above \$400,000,000. and not borne by UNRRA should, so far as the United Kingdom is concerned, be limited to the value of supplies and services made available from the United Kingdom and colonies.

WASHINGTON, 15 May, 1945.

840.50/5-1745

The Canadian Ambassador (Pearson) to the Secretary of State

AIDE-MÉMOIRE

The Canadian Ambassador presents his compliments to the Secretary of State and has the honour to refer to the *Aide-Mémoire* of March 3, 1945 from the Department of State ⁶¹ and the reply of April 28, 1945 from this Embassy covering the arrangements for the provision of military relief supplies on a combined basis to liberated and conquered areas.

These arrangements have up to the present served to maintain a flow of essential supplies to liberated areas and to conquered areas during the period of military operations.

It now appears likely that the total amount of supplies covered by these arrangements will shortly have been provided and that irrecoverable expenditures have probably already reached the stipulated figure of \$400,000,000 at which point it was agreed that the position should be re-examined.

In the light of these considerations and the change in conditions resulting from the end of European hostilities, it appears desirable that discussion be initiated immediately to re-examine the position bearing in mind the continuing need for military relief supplies.

WASHINGTON, May 17, 1945.

840.48/5-2145

President Truman to the Secretary of War (Stimson)

WASHINGTON, May 21, 1945.

DEAR MR. SECRETARY: On November 10, 1943, President Roosevelt directed the Army ⁶² to undertake the initial burden of shipping and distributing relief supplies for liberated areas of Europe pending the completion by civilian agencies of plans to carry out the necessary long range plan of relief. The fact that our vast military operations in Europe have been carried on without disease and unrest in liberated areas testifies to the Army's successful discharge of the obligation so imposed.

Once liberation of a country has been accomplished, however, I feel that the best interests of the United States and of the liberated country itself require termination of this military responsibility as soon as the military situation permits. No responsibility for civilian supply in any liberated country in Europe should continue to rest upon the Army except as may be dictated by the actual necessities of the military situation.

⁶¹ See footnote 29, p. 1073.

⁶² Letter not printed.

On the other hand, no liberated country should be prejudiced by termination of this responsibility. The date and conditions of termination in each case should be subject, of course, to the recommendation of the military commander in the field. In order that the transition from military to civilian responsibility may be smooth, final decision by the Army to end its responsibility should be made only after consultation with the government of the liberated country concerned and also with our own State Department and Foreign Economic Administration.

In addition, I think the general policy of the Army, upon such termination, should be to continue to assist the national governments involved and the appropriate civilian agencies of our own Government and UNRRA to the extent the military situation permits. This should include, where possible, and to the extent legally permissible, the transfer of supplies which are in excess of essential military requirements.

To the extent that implementation of this policy requires agreement of British military authorities, will you please cause negotiations to be initiated through appropriate military channels to obtain such agreement?

Very sincerely yours,

HARRY S. TRUMAN

840.50/5-2145

President Truman to the Secretary of State

WASHINGTON, May 21, 1945.

DEAR MR. SECRETARY: In Judge Rosenman's report on civilian supplies for the liberated countries of Northwest Europe, I have noted reference to the practical difficulties encountered by our Army in the field in attempting to carry out the agreement reached at Yalta with the U.S.S.R. with respect to the feeding and care of Russian civilians uncovered in Germany.⁶³

I would appreciate it if you would instruct the appropriate officer in the Department to discuss this matter with the appropriate officers in the War Department with a view to determining what action, if any, we should take.

Very sincerely yours,

HARRY S. TRUMAN

⁶³ Agreement between the United States and the Soviet Union concerning liberated prisoners of war and civilians, signed at Yalta, February 11, 1945, *Conferences at Malta and Yalta*, p. 985.

800.5018/6-1145 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, June 11, 1945—4 p. m.

4668. Embs 5776, 7th.⁶⁴ We are concerned about tone and implications of press comments on meeting of Food Ministers scheduled for 14th and would regret if meeting followed same line. Implication is that British have had primary concern about food for liberated areas, that Llewellyn and Lyttelton came to Washington to try to better situation, and that British have taken lead in sending food to Western Allies and in reducing home rations.

We have no desire to enter competition to obtain credit for action but have in mind that Hopkins-Law discussions on shipping last winter were played up by British as an attempt on their part to obtain shipping for liberated areas from a reluctant U.S. Any repetition of such tactics would not only result in untrue impression but would have serious repercussions here.

The genesis of food talks was, as you will remember, the following: General Bedell Smith made a trip to Belgium which resulted in an urgent request from SCAEF that some hundred thousand tons of food be shipped to Belgium at once from U.K. PM cabled President⁶⁵ saying this shipment could be made only on condition that British stocks be replenished from overseas. President replied that replenishment could only be discussed in connection with consideration of level of British stockpiles in general, and urged that discussions on this subject, which had started in January, should be renewed at once.⁶⁶ President urged sending of British representatives to U.S. with power to commit British Government. PM replied that such representatives would be sent for the purpose of discussing whole world food situation. By mutual agreement, Canadians were included. During discussions agreement was reached that severe cuts would be necessary in several important food categories if minimum liberated area needs were to be met, the percentage cuts to be made by U.S. being in some cases greater than British and prospective ration equal to or less than British. Furthermore, substantial cuts in British stockpiles were insisted upon.

Therefore, any implication that initiative for the talks was made by British or that British exhibited greater concern for liberated areas than U.S. would be erroneous. British press reports refer to fact that supplies have gone to liberated areas from Britain. Some of these supplies came from stocks specifically built up through over-

⁶⁴ Not printed.

⁶⁵ Reference is to the Prime Minister's telegram 902, March 2, p. 1072.

⁶⁶ Reference is to President Roosevelt's telegram 712, March 10, p. 1076.

seas shipments for this purpose and stored in U.K. as a convenience. Others originated from Lend-Lease or Canadian mutual aid shipments.

We have requested Embassy here to arrange that text of Llewellyn's statement be made available to you beforehand so that you may agree to it. We feel it highly important that British should make completely clear the combined US-UK-Canadian nature of the supply action. Unless you strongly disagree, we suggest you informally express our concern as described above to appropriate officials. Please show this message to Fitzgerald ⁶⁷ and advise him that if he believes a false impression is being created, he should make a clear statement of U.S. participation. Suggest Hawkins ⁶⁸ attend meeting with him.

Failure of British Government to notify us formally of meeting and fact that press reports contain no reference to U.S. participation in meeting do not encourage us to feel that an objective statement of problems and action will be made.

GREW

840.24/6-1145 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant) ⁶⁹

WASHINGTON, June 11, 1945—7 p. m.

4693 and 4694.⁷⁰ For Hawkins. The provision of civilian supplies by the combined military authorities in Western Europe and the Mediterranean (so-called Plan A) has been carried on up to the present under the following financial arrangements, agreed to by the U.K., Canadian, and U.S. Governments. Procurement in U.S. is financed by this Government, in British Commonwealth except Canada by U.K., in Canada by the Canadian Government, other countries half each by U.S. and U.K. Demand for payment will be made on all recipient governments, payment to be made to supplying countries jointly. Losses incurred as a result of non-payment will be shared, by appropriate division of proceeds from paying countries as follows: U.S. 67 percent, U.K. 25 percent, Canada 8 percent. Agreement covers one billion dollars in procurement and provides that when loss reaches 400 million, negotiations will take place regarding further arrangements.

⁶⁷ D. A. Fitzgerald of the Combined Food Board, United States, United Kingdom, and Canada, was in London attending meeting of Food Ministers.

⁶⁸ Harry C. Hawkins, Counselor of Embassy for Economic Affairs.

⁶⁹ Repeated to Paris as telegram 2689, and to the United States Political Adviser at Caserta as 574.

⁷⁰ Telegram sent in two sections, each section bearing a separate telegram number.

Presumptive loss of 400 million on shipments to Italy and Balkans has now been reached. (Germany and Austria are regarded presumptively as paying on principle agreed to by U.S. and U.K. that payment for essential imports should be first charge on export including reparations except plant removals). France, Belgium, Netherlands and Norway have agreed to pay.

On May 16, U.K. requested negotiations be commenced and presented following proposals.

1. Existing arrangements continue for Northwest Europe.
2. Burden of initial financing of supplies for Germany should be spread more broadly, with result that U.K. share of any loan should be reduced. UNRRA should take over financing of supplies for displaced persons soon as possible. Meanwhile, any supplies furnished would continue under present arrangements.
3. Italian relief program should be shifted to UNRRA effective July 1 by action of forthcoming Council meeting.
4. Relief for Austria should be handled on same basis as Italy.
5. Any losses sustained in excess of 400 million on shipments to Italy and Austria should be borne by U.K. only to extent of supplies and services (including shipping) furnished by U.K. and colonies.
6. Proposals 3 and 4 raise question of new funds for UNRRA which should be considered. Since only pounds 14 million out of U.K. contribution of 80 millions have been used, U.K. unable to consider further contribution until present contribution exhausted. Admission of neutrals to UNRRA should be considered.

Negotiations held by representatives of three governments May 25, 28 and 30. Adjourned until about June 25 to permit informal consultation with UNRRA and consideration by governments.

No formal U.S. reply presented but following position taken orally in conversations:

1. U.S. desires U.S. loadings of Plan A supplies for Netherlands and Belgium, and coal and POL⁷¹ for France after July 1 to be treated as lend-lease from financial viewpoint. Proposal does not envisage change in supply and shipping arrangements. No change in Norway which has not requested lend-lease. Some adjustment perhaps later necessary for Denmark which is not eligible for lend-lease.

2. U.S. prepared continue some arrangements similar to existing ones for Germany until redeployment into zones. Thereafter, until development of overall foreign trade and interzonal program for all Germany under Control Council, U.S. unable to accept responsibility for supplies except for American zone. Establishment of effective organization for handling all German foreign and interzonal trade matter of great urgency. UNRRA should not take over financial responsibility for displaced persons until it has responsibility for their care, but should be urged to assume latter responsibility soon as possible.

3. Italy proposal raises question of future of UNRRA on which our position reserved. If adopted, would require additional funds

⁷¹ Petroleum, Oil, and Lubricants.

for UNRRA, either by special funds for benefit of Italy or by raising total assessment. In either case, we would expect burden to be shared generally by contributing members. Financial responsibility should not be assumed by UNRRA until it takes over operating responsibility which unlikely before October 1 or November 1.

4. In view unsettled reparations issue, we are unwilling to agree this time to UNRRA putting supplies into Austria, since might be used to support reparations program which we oppose. Willing to consider resolution by UNRRA Council authorizing Central Committee to approve Austrian program if satisfied as to conditions between Council meetings. Meanwhile Austria should be handled under same procedure as Germany although relief scale should be higher than German minimum disease and unrest formula.

5. U.S. willing to reduce Canadian share of losses to 5 percent and assume 3 percent difference. Unable accept reduction in British financial responsibility which we believe within British financial capability and commensurate with British general responsibility. Propose extension present agreement with adjustment for Canada for any supplies furnished under agreed programs (e.g. subject to German cutoff on redeployment) until some agreed date, persons loadings to October 1 or November 1.

Canadians stated willingness to consider sharing on an equitable basis in any unavoidable losses in future programs. Unable to accept responsibility for losses on shipments to enemy which might result from trading off by U.S. and U.K. of first charge principle and would wish to be assured against such loss.

British took issue principally with our proposal 5 which they stated impossible to accept in view of British financial position (point which we challenged in light of British dollar position). British urged take-over of Italian program by UNRRA should be earlier than envisaged by us. On our proposal 1, they stated only question was whether it would reduce receipts to extent that distribution could not be made under loss-sharing formula. Pending resolution of issues, U.K. unable to procure for Italy and Austria except in U.K. and colonies. Whether this last position firm or just threat not clear.

Informal discussions then took place with UNRRA for the purpose of ascertaining how UNRRA expects to spend its present funds and UNRRA estimate of funds used to complete present UNRRA job. Following information which will be presented at August Council meeting was furnished us on the understanding it would be kept in strict confidence and its distribution limited.

UNRRA will have shipped approximately quarter billion dollars of supplies by June 30 according to its estimates. Expects shipments last half this year, assuming continuation June rate, to amount \$750 million. With exception Italian program, Northwest Europe emergency program, displaced persons in Germany last quarter 1945, and a few other small items all shipments to Eastern Europe and Balkans.

Procurement for these purposes for 1946 shipments of \$400 million plus \$200 million lead items for China will result in commitment of all present UNRRA funds by end of this year. Balance of \$250 million represents administrative costs, health and other services and funds not available this year, bringing total to \$1850 million.

UNRRA estimates tentatively completion its present responsibility on basis of tapering off in Europe to end of 1946 would require perhaps additional \$1,500 million of which \$600 million for China in addition to \$200 million to be used from present fund. Chinese figures unscreened by UNRRA, but developed with assistance UNRRA staff and believed by UNRRA realistic on requirements basis. Estimate for 1946 includes nothing for Italy except projection present \$50 million program through year or for Austria except for displaced persons.

All of foregoing figures are conditional upon supply and shipping availabilities, although UNRRA states if particular supplies not available, it will shift to other items in order to balance programs.

Detailed figures received only on June 9 and not yet checked by us as to realism of supply and shipping assumptions. General feeling of governmental participants was UNRRA had made persuasive case for need for additional funds if UNRRA relief mechanism is to be used to meet payment deficits of beneficiary countries upon exhaustion present UNRRA funds.

Discussion of policy questions raised is being carried on among interested agencies with a view to present matter to President in the near future. U.S. position will have to be determined before August Council meeting and probably much sooner. We will keep you informed of progress. Marris arrives London probably June 11 to participate similar British considerations. Suggest you keep closely in touch with him regarding development of British thinking.

Sent to London for Hawkins, inform Blaisdell and Taylor. Repeated to Paris for Labouisse,⁷² inform Ball, repeat to Murphy;⁷³ to Caserta, repeat to Rome and Florence for Erhardt.⁷⁴ Repeated by airgram to Ottawa. Copies of relevant documents follow by mail. Hawkins please inform Hornbeck and representatives of Legation Copenhagen now in London regarding Northwest Europe situation. Brussels and Oslo will be informed by separate telegrams.

GREW

⁷² Henry Richardson Labouisse, United States Adviser on Economic Affairs at Paris.

⁷³ Robert D. Murphy, United States Political Adviser for Germany, at SHAEF.

⁷⁴ John George Erhardt, United States Political Adviser on staff of Commanding General United States Army Forces, Mediterranean theater.

840.48/6-2845 : Telegram

*The Acting Secretary of State to the Ambassador in Belgium
(Sawyer)*⁷⁵

WASHINGTON, June 28, 1945—7 p. m.

564. Acting Secretary handed notes to Norwegian, Belgian and Netherlands Ambassadors and Luxembourg and Danish Ministers on June 26th ⁷⁶ substance of which follows:

On June 19 SCAEF was advised of decision by CCS ⁷⁷ to terminate military responsibility upon completion of August loadings. This does not include POL and coal which will be separately considered. Combined Military Authorities will endeavor to ship approved civil affairs requirements including August loadings but not responsible thereafter for allocation or procurement of such requirements as may not be available by that time due to supply reasons. Shipping authorities have transition problem in hand and will try to provide equivalent tonnage. Combined Boards and military authorities expect to adjust present allocations so as to achieve equitable sharing of total allocations for liberated areas. Acting Secretary expects transition will be effectively achieved and that supply allocations and shipping will be suitably adjusted within over-all limitations. US Government agencies will assist in every way and respective governments urged immediately to instruct own procurement officials regarding responsibility they are to assume. *End of Summary.*

Foreign Office is handing similar communication to corresponding representatives, in London.

GREW

800.24/8-945 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 9, 1945.

6739. For Clayton and Collado.⁷⁸ Following is revised text of memo and attached annex on subject of financial arrangements governing provision of relief supplies to Europe outside UNRRA program. This text was handed to British and Canadian Embassy this afternoon.

"Memorandum: Reference is made to the *aide-mémoire* presented to the Department of State by the British Embassy on May 15, 1945

⁷⁵ Repeated to Oslo as No. 74, to Luxembourg as No. 20, to Copenhagen as No. 57, and to London for the Mission to the Netherlands Government as No. 52.

⁷⁶ For texts of notes to the Belgian and Netherlands Governments, see vol. iv, p. 103 and vol. v, p. 24, respectively; others not printed.

⁷⁷ Combined Chiefs of Staff.

⁷⁸ Emilio G. Collado, Director of the Office of Financial and Development Policy, was in London as adviser to the United States delegation, at the Third Session of the Council, United Nations Relief and Rehabilitation Administration.

proposing that negotiations be undertaken immediately by the British, Canadian, and United States Governments with regard to the financial arrangements to be made in connection with the future provision of relief to liberated and conquered areas of Europe on a combined basis in so far as such relief lies outside the scope of the United Nations Relief and Rehabilitation Administration. An *aide-mémoire* of similar tenor was presented to the Department of State by the Canadian Embassy on May 17, 1945.

During the past several months, representatives of the three governments have discussed in detail the problems involved in the future provision of relief both through combined military channels and through the United Nations Relief and Rehabilitation Administration.

The United States Government now desires to propose the following arrangements with regard to the financing of relief shipments on a combined or other agreed basis to liberated and conquered areas of Europe which fall outside the scope of the United Nations Relief and Rehabilitation Administration:

1. The agreement between the three governments which is contained in the British Embassy's memoranda of June 8, 1944⁷⁹ and February 8, [12?] 1945, to the State Department, the State Department's replies of June 8, 1944⁸⁰ and March 3, 1945, the Canadian Embassy's memorandum of June 2, 1944⁸¹ and letter of June 17, 1944⁸¹ and the State Department's reply of September 12, 1944,⁸¹ the State Department's memorandum of March 3, 1945 to the Canadian Embassy⁸² and the Embassy's reply of April 28, 1945, and in substantially similar communications between the British and Canadian Government, should, subject to certain modifications set forth below, continue to apply to the following:

a) Military relief supplies furnished on a combined basis to France, Belgium (including supplies for Luxembourg), Norway, Denmark, and The Netherlands until the termination of military supply responsibility for these countries, subject to paragraph 2 below.

b) Relief supplies delivered to Italy under a combined or an agreed program, whether or not such supplies are furnished through military channels.

2. The arrangements set forth in the previous paragraph will not apply to the portion attributable to the United States of the following supplies in so far as the United States Government desires to furnish such supplies on a lend-lease basis:

a) Petroleum, oil and lubricants delivered to France, Belgium (including supplies for Luxembourg), or the Netherlands on or after July 1, 1945.

b) Coal delivered to France on or after August 1, 1945.

c) Any other supplies delivered to Belgium (including supplies for Luxembourg) or the Netherlands on or after August 1, 1945.

⁷⁹ *Foreign Relations*, 1944, vol. II, p. 312.

⁸⁰ *Ibid.*, p. 313.

⁸¹ Not printed.

⁸² See footnote 29, p. 1073.

3. Such amounts as prove to be irrecoverable from recipient governments or authorities in excess of a total sum of \$400,000,000 shall be borne by the three supplying governments as follows:

by the United States	—74 percent of such amount
by the United Kingdom	—21 percent of such amount
by Canada	— 5 percent of such amount

Receipts collected from the recipient governments or authorities shall be divided as may be necessary in order that the ultimate deficit be shared in the proportions set forth above. The three governments shall proceed jointly in the collection of such receipts in accordance with the understandings set forth in the exchange of letters of April 4 and April 24, 1944 [1945]⁵³ between the State Department and the Canadian Embassy, and related communications with the British Embassy.

4. The foregoing relates solely to the financial arrangements which will govern such relief supplies as are furnished by the three governments and does not affect the scope of the supply programs to be undertaken which will be agreed by the three governments through appropriate channels from time to time.

The United States Government will make proposals separately with regard to the financial arrangements in connection with civilian supplies furnished by the three governments to Germany and Austria. Meanwhile, any such supplies furnished these countries by the three governments in accordance with mutual agreement shall be regarded as falling within the terms of the foregoing arrangements, but this understanding shall in no event extend beyond October 1945 loadings.

For purposes of convenience, there is set forth in the attached annex the substance of the agreement between the three governments as it would be amended by the foregoing proposals.

Annex: The following provisions shall apply to the furnishing of relief supplies by the United States, the United Kingdom and Canada on a combined or other agreed basis to liberated and conquered areas of Europe outside their own territories, in so far as the burden for furnishing such supplies does not fall upon the United Nations Relief and Rehabilitation Administration:

1. The arrangements herein set forth shall apply to supplies furnished as designated below:

(a) Supplies furnished to France, Belgium (including supplies for Luxembourg), The Netherlands, Norway, Denmark, Greece, Albania, and Yugoslavia: Until the termination of combined military supply responsibility, except as provided in paragraph 3.

(b) Supplies delivered to Italy under a combined or an agreed program, whether or not such supplies are furnished through military channels.

2. The initial financing of supplies procured for such relief shall be undertaken as follows:

(a) In the United States, by the United States Government.

⁵³ Not printed.

(b) In the British Commonwealth except Canada, by the Government of the United Kingdom.

(c) In Canada, by the Canadian Government.

(d) In other areas, 50 percent by the United States Government and 50 percent by the British Government, in the case of supplies which are to be furnished on a combined basis.

3. The provisions of paragraph 1 shall not apply to the portion attributable to the United States of the following supplies in so far as the United States Government desires to furnish such supplies on a lend-lease basis:

(a) Petroleum, oil and lubricants delivered to France, Belgium (including supplies for Luxembourg), or the Netherlands on or after July 1, 1945.

(b) Coal delivered to France on or after August 1, 1945.

(c) Any other supplies delivered to Belgium (including supplies for Luxembourg) or the Netherlands on or after August 1, 1945.

4. Unless other arrangements are mutually agreed upon, payment in full shall be requested of all governments or authorities of liberated or conquered areas to which such supplies are furnished.

5. Such amounts as prove to be irrecoverable from such governments or authorities shall be borne by the supplying governments in the following proportions:

(a) Up to a total of \$400,000,000:

by the United States	—67 percent
by the United Kingdom	—25 percent
by Canada	— 8 percent

(b) In excess of \$400,000,000:

by the United States	—74 percent
by the United Kingdom	—21 percent
by Canada	— 5 percent

6. Receipts collected from the recipient governments or authorities shall be paid to the three governments jointly under arrangements to be agreed upon from time to time. Such receipts shall be divided as may be necessary in order that the ultimate deficit be shared in the proportions set forth in the previous paragraph.

7. The three governments shall consult together from time to time in order to decide whether a claim shall be maintained against any government or authority which at any time indicates its inability to meet any request for payment.

8. The arrangements set forth above shall also apply to supplies furnished by the three governments to Germany and Austria in accordance with mutual agreement, but shall in no event apply beyond October 1945 loadings.

9. The foregoing provisions shall apply only to supplies furnished through military channels, except that in the case of Italy they shall apply to all supplies which are furnished by the three governments on a combined or agreed basis."

Please furnish copies of the foregoing urgently to Pearson at Canada House and Hasler at Foreign Office. British and Canadians are not telegraphing text.

BYRNES

800.24/9-1145

The Canadian Embassy to the Department of State

MEMORANDUM

Reference is made to the State Department Memorandum of August 10th⁸⁴ and the exchanges referred to in that memorandum, with particular reference to the State Department's memorandum of May 26th,⁸⁵ taking note of the reservations of the Canadian authorities with respect to the original agreement.

It is the understanding of the Canadian authorities that their commitment for financing the provision of supplies and sharing in the ultimate cost incurred under these arrangements did not extend beyond completion of August loadings (and the corresponding date for completion of military distribution of petroleum products for civilian use).

It is understood that the Combined Military authorities have determined to terminate their responsibility for supplying the civilian populations of France, Belgium, Luxembourg, The Netherlands, Denmark, Norway, Greece, Yugoslavia, Albania and Italy on or before the completion of August loadings for all civilian supplies (except petroleum products which they will continue to distribute to Belgium, Luxembourg, The Netherlands, Denmark, Norway and Italy until October 1st). Accordingly, it is considered by the Canadian authorities that Canada's commitment to finance the procurement of supplies or to share in the ultimate cost for any of these areas under the existing agreement did not extend beyond supplies loaded on or before August 31st (and the corresponding date for distribution of petroleum products) since any supplies required for loading after that date could not be regarded as "Military Relief".

In respect of Germany and Austria it is considered by the Canadian authorities that upon completion of the division of these countries into the several zones, it was impracticable for the Canadian authorities to bear any direct responsibility for sharing in the financing of the provision of such supplies as might be required after completion of August loadings. In the event that any of the occupying powers require supplies available from Canada the Canadian authorities will

⁸⁴ Reference is to the memorandum handed to the Canadian Embassy on the afternoon of August 9, quoted in telegram 6739, August 9, to London, *supra*.

⁸⁵ See footnote 55, p. 1088.

be prepared to discuss with the occupying powers concerned, possible financial arrangements under which such supplies might be procured in Canada.

For the purpose of distributing the ultimate net cost of the Military Relief supplies which had been provided on a combined basis up to the completion of August loadings (and the corresponding date for distribution of petroleum products) the Canadian authorities have under consideration the proposal set forth in paragraph numbered three in the State Department's Memorandum of August 10th for the distribution of such amounts as prove to be irrecoverable in excess of the total sum of \$400,000,000 already covered in the original agreement.⁸⁶

WASHINGTON, September 11, 1945.

800.24/9-1445

The British Embassy to the Department of State

MEMORANDUM

His Britannic Majesty's Embassy refer to the Memorandum of the State Department dated August 9th proposing certain arrangements to His Majesty's Government in the United Kingdom and to the Canadian Government with regard to financing of relief shipments on a combined or other agreed basis to liberated and conquered areas of Europe which fall outside the scope of the United Nations Relief and Rehabilitation Administration.

2. His Majesty's Government understand the proposal by the United States Government contained in paragraph 3 of their Memorandum to mean that the proportion of 21 per cent should apply to all expenses over and above the 400 million dollar limit and are prepared to agree to the proposals contained in the Memorandum subject to the following reservations:

(i) that supplies should be provided to Italy on the basis proposed only up to and including October loadings;

(ii) that procurement to be undertaken by the United Kingdom should be limited to supplies from the United Kingdom, British Colonies and South African coal and to such other items as the United Kingdom has agreed to procure in respect of the programme for September and October approved by the Operating Committee of the Combined Liberated Areas Committee.

3. As the State Department is aware the United Kingdom representatives, in the conversations regarding financing relief supplies which took place in Washington during the summer, emphasised the

⁸⁶ In a memorandum of September 17, 1945, the Canadian Embassy informed the Department that the Canadian Government accepted the proposal that Canada's share of such excess should be 5 percent (800.24/9-1745).

desirability of UNRRA taking over the financial responsibility for supplies to Italy as soon as possible, and the resolution passed at the Third Meeting of the Council⁸⁷ in London authorizing UNRRA to operate in Italy is equally specific on this point. In these circumstances His Majesty's Government could not themselves afford to continue to bear a fixed proportion of this financial burden for a period which has no definite closing date, nor could they ask for Parliamentary authority on this basis. Moreover, as explained to the United States Delegation to the UNRRA Conference, His Majesty's Government consider that the suggested proportion of 21 per cent is in fact higher than is justifiable having regard to the present financial position of the United Kingdom. However, in order to reach agreement His Majesty's Government are prepared to accept this proportion up to November 1st and have stipulated that closing date because it appears a reasonable date by which UNRRA should assume financial responsibility for supplies for Italy. If for any reason UNRRA's assumption of responsibility in Italy should be postponed beyond the date proposed, His Majesty's Government would be prepared to spread deliveries of supplies provided that the value of supplies furnished by the United Kingdom under the programme shall not exceed 21 per cent of the agreed programme for September and October.

4. The State Department will no doubt appreciate that in accepting the proportion of 21 per cent of any additional loss over 400 million dollars His Majesty's Government are accepting a greater liability than had been allowed for. His Majesty's Government feel it proper that the United States Government should be warned of the possibility that this may make it necessary for them to consider a reduction in any new contribution for UNRRA to below the figure of 80 million pounds. His Majesty's Government would be entitled to adjust this figure to bring their first and second contributions together to 2 per cent of their national income as of June, 1943, which would make their new contribution approximately 75 million pounds.

5. A copy of this memorandum is being transmitted to the Canadian Embassy.

WASHINGTON, 14 September, 1945.

840.48/11-1445 : Telegram

*The Secretary of State to the Ambassador in Norway (Osborne)*⁸⁸

WASHINGTON, November 14, 1945.

455. President's War Relief Control Board is fostering the organization of a responsible non-profit corporation to be established by

⁸⁷ For text of Resolution 73, see George Woodbridge, *UNRRA: The History of the United Nations Relief and Rehabilitation Administration*, vol. III (Columbia University Press, 1950), p. 143.

⁸⁸ Repeated to Brussels, Helsinki, The Hague, Paris, Rome, Athens, Belgrade, Vienna, Budapest, Bucharest, Praha, Warsaw, and Berlin.

the major voluntary foreign relief agencies licensed by the Board to sell to individuals and organizations in this country so-called food drafts to be honored by delivery of high value standardized packages of food to designated individuals or institutions in liberated countries and additionally among displaced persons and later in occupied territory for nationals thereof.

A similar form of relief operation was carried out by the American Relief Administration following World War I and there now is an insistent demand for such service from the great population of nationals in this country until the normal flow of money remittances can be resumed.

UNRRA is acquiring at less than cost delivery ship-side Atlantic ports Army surplus food stocks in this country. UNRRA is willing to make available to above corporation 150,000 tons in the form of 7,700,000 packages each containing over 40,000 calories of balanced food of high nutritive value sufficient to give a family of four a supplementary diet of 700 calories each per day for 2 weeks. Low cost will permit sale at \$10 or less leaving ample protective margin.

Success of plan depends upon speedy action in order that the supplies will not be delayed in movement from Army warehouses and to meet winter demands. It is requested that preliminary approach be made to appropriate authorities looking to provision of free customs entry as was granted in World War I and for facilities for adequate interior distribution. Missions here are being informed of this proposal and some have already informally expressed to the WRCB their cooperation, particularly the Czechs and French.

For your confidential information it is possible that Donald Nelson⁸⁹ will accept the chairmanship and active management of the corporation which proposes to conclude its operation so far as Army stocks are concerned within the period of 6 months later using other supplies if need continues.

Early report on reaction will be appreciated in order that organization of corporation may proceed with confidence.⁹⁰

BYRNES

840.50/11-1545 : Telegram

The Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, November 15, 1945—5 p. m.

5322. Combined Chiefs of Staff have decided to terminate combined military supply responsibility in Germany and Austria. Provision

⁸⁹ Chairman of the War Production Board, 1942-1944.

⁹⁰ Reports from most of the Missions to which this message was sent indicated that free entry of packages was assured, but in some cases there would be problems of interior distribution as adequate facilities did not exist.

of supplies from combined military stocks to French Zones of Germany and Austria will accordingly cease. American and Brit Zone Commanders will make available supplies sufficient in their judgment to meet requirements in French Zones up to November 30 and to provide reasonable working reserve. French Govt is expected to reimburse supplying Govts, namely, U.S., U.K., and Canada for supplies furnished to French Zones. Notification to French Govt respecting these decisions is to be made by both Brit and American Govts. Accordingly, you are requested to deliver following memo to French FonOff. You should check with your Brit colleague to coordinate time of delivery of memos to French Govt. For your info Canadians are apparently not intending to deliver similar memo to French. Memo follows.

“Reference is made to the note of April 4, 1945 from the United States Government to the French Government⁹¹ respecting payment for the civilian supplies furnished to Metropolitan France by the United States and United Kingdom forces. Similar notes were addressed to the French Government by the British and Canadian Governments.

Civilian supplies have likewise been furnished to the French Zones of Germany and Austria, including Berlin and Vienna, from the combined military stocks of the United States and United Kingdom forces, some of which originated from Canadian sources. The Combined Chiefs of Staff have now decided, however, that combined United States and United Kingdom military responsibility for the provision of civilian supplies to Germany and Austria, including those for displaced persons, should terminate upon the completion of October 1945 loadings except for wheat and flour in which case combined responsibility will terminate upon the completion of shipments necessary to carry out the agreement made by the United States and United Kingdom Zone Commanders for the appointment of available combined supplies and credits of wheat and flour between the United States, United Kingdom and French Zones of Germany and Berlin and the United States and French Zones of Austria and Vienna. Accordingly, combined United States and United Kingdom military responsibility for the provision of civilian supplies, including those for displaced persons, to the French Zones of Germany and Austria, including Berlin and Vienna, will terminate as indicated above. To effect orderly liquidation of combined military responsibility in the French Zones for items other than wheat and flour, the United States and United Kingdom Zone Commanders in Germany and Austria, respectively, will provide supplies sufficient in their judgment to meet issue requirements in the French Zones up to November 30, 1945 and to provide a reasonable working reserve, as was done in the agreement for apportionment of wheat and flour supplies and credits.

The French Government will be expected to reimburse the United States, United Kingdom and Canadian Governments, respectively,

⁹¹ Not printed.

for all civilian supplies procured under combined military responsibility and provided to the French Zones of Germany and Austria, including Berlin and Vienna. The arrangements for billing and collection in connection with such reimbursement are expected to be similar to those specified in the note of April 4, 1945.

It is understood that the British Government is addressing a similar communication to the French Government."

BYRNES

811.5018/11-2445

The Canadian Prime Minister (Mackenzie King) to President Truman

WASHINGTON, November 23, 1945.

MY DEAR MR. PRESIDENT: I have been advised in strict confidence by the Canadian Representative on the Combined Food Board that the United States member has intimated to his colleagues on the Board the probability of the United States discontinuing meat rationing on or about December 1st.

I have recent and vivid impressions of the urgent need for supplies of meat in the United Kingdom and Continental Europe and of the extent to which they are relying on the co-operation of North America. It is, however, because of the great importance of close co-operation between our two Governments that I am sending this message.

In the course of several conversations we both have agreed on the great value of the intimate wartime collaboration through the various Combined Boards, and we have also agreed on the desirability of continuing a maximum degree of similar collaboration during the difficult months that lie ahead.

The discontinuance of meat rationing in the United States will raise questions of policy in Canada which will require most careful examination. In the light of desperate European needs during the coming winter we feel that we should not discontinue meat rationing at the present juncture, and it is our present intention to continue meat rationing in full effect.

In view of the pressing needs of Europe and of the likelihood that decisions of each country will react on the neighbouring government, I should like to suggest that no final decision be taken in this matter before there is opportunity for further full discussion in the Combined Food Board, or, if desirable, at a higher level.

Yours very sincerely,

W. L. MACKENZIE KING

840.50/12-145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 1, 1945.

[Received December 1—8:25 p. m.]

12592. Sal 26.

1. Following paper will be reported to EECE on 13 December by Subcommittee on Enemy Exports and is transmitted to you for your advance information.

2. (I) At the 12th meeting of the Emergency Economic Committee for Europe held on 1st November representatives of a number of member countries expressed their anxiety about the difficulties in trading with Germany under the existing financial arrangements. The various problems raised were referred to the Enemy Exports Subcommittee for further discussion. The Subcommittee, after discussion, has prepared the following statement in an attempt to set forth concisely the present German trade situation and the financial regulations issued to meet it.

(II) The effect on the E.E.C.E. countries. It is difficult to forecast with any certainty the pattern of German trade over the next few years. However, it now appears probable that for the year 1946 there will be not only a deficit on the current trading account (more imports will be required than can be paid for by exports) but also a "dollar" deficit. Even if all exports from Germany were paid for in full in dollars there would still be insufficient dollars to pay for the essential imports required from the dollar area. In order to prevent Germany from becoming a financial liability to the countries responsible for the control of Germany, it was stated in the Potsdam Declaration that "In working out the economic balance of Germany the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports."⁹² In view of the requirement for paying for imports with the proceeds of export and of the fact that a large proportion of the imports can be procured only in the dollar area, the American and British Governments have found it necessary to issue parallel notes requiring payment for all exports from Germany other than exports of capital equipment available as reparations or looted property subject to restitution. For the time being payment is required to be made in dollars but it is specifically stated that in special cases it may later prove possible to arrange for payment in some other currencies acceptable to the Control Council. It is understood that the French Government will shortly make a similar declaration.

(III) The trade situation summarized above and the financial regulations issued by the American and British Governments to meet it have made it difficult for the Allied countries of Europe to import from Germany the goods they urgently require; most countries have

⁹² *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, vol. II, p. 1505.

a shortage of dollars. This means that these countries are not able to buy from Germany goods which are available and which they would purchase if they now had sufficient dollars. Or if they pay dollars for essential goods available in Germany these countries have to forego goods from other sources which are needed for their reconstruction and rehabilitation. Furthermore, it may mean that in order to avoid having to use dollars from other sources in order to buy German goods, countries which are short of dollars will [apparent garble] to sell to Germany goods which they would normally sell elsewhere in order to procure the necessary purchasing power there. Some countries are not only short of dollars but also of goods. For them the present regulations virtually preclude the import of any goods from Germany.

(IV) It is clearly in the interest of all countries requiring goods from Germany that the method of payment be made as easy as possible. Given the immediate necessity of meeting the situation outlined in section II above, and even within the principles which underlie the present financial negotiations, there are some steps which might be taken to alleviate the present difficulties. A further paper concerning the steps suggested for dealing with the problems set forth here will be prepared at the earliest possible date.

3. Various suggestions to facilitate payments arising from German trade have been advanced by Norway, Netherlands and other EEC countries not represented among controlling powers. Subcommittee on Enemy Exports has agreed US and French request to defer consideration of suggestions concerning foreign exchange until foregoing statement of problem had been referred to governments of the controlling powers for comment.

Repeated to Berlin for Fred Winant ⁹³ as 340.

WINANT

800.24/9-1445

The Department of State to the British Embassy ⁹⁴

MEMORANDUM

Reference is made to the memorandum from the British Embassy dated September 14, 1945, to the letters from Mr. R. W. Jackling of the British Embassy to Mr. George F. Luthringer of the Department of State dated October 9, 1945, and October 25, 1945,⁹⁵ and to the memoranda from the Canadian Embassy dated September 11 and September 17, 1945,⁹⁶ all on the subject of financial arrangements to govern the provision of civilian supplies on a combined or other agreed program to the liberated and conquered areas of Europe outside the scope of the United Nations Relief and Rehabilitation Administration.

⁹³ In the office of the United States Political Adviser for Germany.

⁹⁴ An identical memorandum was addressed to the Canadian Embassy on the same day.

⁹⁵ Neither printed.

⁹⁶ Memorandum of September 17, not printed, but see footnote 86, p. 1108.

The United States Government takes note of the statement in the British Embassy's memorandum respecting the distribution of responsibility for losses under the program in the light of the present financial position of the United Kingdom Government. This Government also takes note of the statements in the Canadian Embassy's memorandum of September 11, 1945 respecting the inability of the Canadian Government to continue sharing in the loss responsibility for Italy in view of the termination of combined military supply responsibility for the liberated areas or loss responsibility for Germany and Austria after the completion of August, 1945 loadings. In view of the accounting and other difficulties involved, the United States Government suggests that the precise date and manner of the Canadian Government's withdrawal from the loss sharing arrangements and the precise arrangements applicable to Germany and Austria during the period between the Canadian Government's withdrawal and the termination of combined military supply responsibility as fixed by the Combined Chiefs of Staff in CCS 933, be made subject to future determination. Subject to these qualifications and those outlined below, the United States Government is prepared to accept the modifications proposed by the United Kingdom and Canadian Governments to the arrangements set forth in the memorandum of August 9, 1945 from this Government.⁹⁷

With respect to the Italian program, this Government understands the reservation made by the United Kingdom Government to be that subsequent to August loadings, the United Kingdom Government will bear loss responsibility equivalent to 21 percent of the amount of the supplies furnished for which payment is not received from the Italian Government, provided that the amount of such supplies for which payment is not received does not exceed the agreed Italian program for September and October 1945. In view of the decision of the Canadian Government to withdraw from the Italian program after August loadings, the Government of the United States will regard its own portion of the agreed program for September and October as 79 percent.

The United States Government's memorandum of August 9, 1945 contains a provision exempting from the arrangements set forth therein such supplies delivered to France, Belgium, and The Netherlands on or after August 1, 1945 as this Government desires to furnish on a lend-lease basis. At the time this provision was drafted and the date of August 1, 1945 was selected, it was intended by this Government to leave open the possibility of furnishing to the Governments in question on a lend-lease basis the equivalent of several months supplies forwarded through combined channels from United States

⁹⁷ For text, see telegram 6739, August 9 to London, p. 1103.

sources. Representatives of this Government endeavored to make this intention clear to the appropriate representatives of the United Kingdom and Canadian Governments in previous conversations on this subject. The rapid conclusion of the war in the Pacific and the consequent termination of lend-lease made it necessary to shift the date in question from August 1, 1945 to July 1, 1945 if the original intention of this Government was to be realized. This Government is, therefore, reserving the right to make available to the Governments of France, Belgium, and The Netherlands on a lend-lease basis all or part of the contribution of the United States after July 1, 1945 to the civilian supplies furnished them by the combined military authorities of the United States, the United Kingdom, and Canada. The United States Government will not, however, transfer such supplies on lend-lease terms to the French, Belgian, and Netherlands Governments to an amount in excess of \$75 million in the aggregate without further consultation with the United Kingdom and Canadian Governments. The United States Government wishes at this time to amend in this sense paragraphs 2(*b*) and (*c*) of its memorandum of August 9, 1945 and paragraphs 3(*b*) and (*c*) of the annex appended thereto.

The Combined Chiefs of Staff paper mentioned above (CCS 933) provides that financial settlement for stocks on hand or in the process of shipment to any zone in Germany or Austria upon the termination of combined military supply responsibility will be the subject of inter-governmental negotiation. This Government is prepared to discuss the financial settlement alluded to therein at any mutually agreeable time.

WASHINGTON, February 1, 1946.

FIRST SESSION OF CONFERENCE OF THE UNITED NATIONS FOOD AND AGRICULTURE ORGANIZATION, HELD AT QUEBEC, OCTOBER 16–NOVEMBER 1, 1945

[United States participation in the Food and Agriculture Organization of the United Nations was authorized by a joint resolution of Congress approved July 31, 1945 (59 Stat. 529). For report of the Conference, see Food and Agriculture Organization of the United Nations, *Report of the First Session of the Conference, Held at the City of Quebec, Canada, October 16–November 1, 1945*. For text of the constitution adopted by the Conference, see Constitution of the Food and Agriculture Organization of the United Nations, adopted by the United States of America and other governments, October 16, 1945, 60 Stat. (pt. 2) 1886, or Department of State Treaties and Other International Acts Series No. 1554.]

PROTOCOL SIGNED AUGUST 31, 1945, AT LONDON, EX-
TENDING THE DURATION OF THE INTERNATIONAL
SUGAR AGREEMENT OF 1937

[For text of this Protocol, see Department of State Treaty Series
No. 1523, or 60 Stat. (pt. 2) 1373; for previous documentation, see
Foreign Relations, 1944, volume II, pages 989 ff.]

INTEREST OF THE UNITED STATES IN THE RELIEF AND RESCUE OF JEWS AND SECURITY DETAINEES IN GERMANY AND GERMAN-OCCUPIED TERRITORY ¹

840.48 Refugees/1-345 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, January 3, 1945—midnight.

66. The following for Mann ² is WRB 33. The War Refugee Board ³ was recently advised by McClelland ⁴ in Bern that approximately 1355 refugees from Bergen-Belsen arrived in Switzerland on December 7 and are temporarily being housed in Caux under control of the Swiss army. McClelland has been advised by the chief of the Swiss Federal Police that the majority of these refugees are Hungarians, including persons from Transylvania, but that there are also a few Poles, Slovaks and Yugoslavs. The Swiss stated further to McClelland:

“All these refugees intended to go to Palestine some as young workers others as veteran Zionists or prominent members of Jewish organizations, still others to join relatives already there. Most of them had been assured that they would be admitted although none of them actually possess Palestine certificates or equivalent document. On other hand they all hold documents issued by Hungarian Red Cross or an international Jewish organization stating that a Palestine certificate in their name is available at Istanbul. These documents were for most part issued shortly before occupation of Hungary by Germans. For past few years it appears that several thousands of Hungarian Jews have gone to Haifa via Istanbul on basis of such documents. All these Hungarians who recently arrived in Switzerland originally intended to pick up their Palestine certificates in Istanbul and once in possession of them to proceed to Haifa. Almost

¹ For additional documentation regarding Jewish refugees, see *post*, pp. 1146 ff. and vol. III, pp. 784 ff.

² James H. Mann, Assistant Executive Director of the War Refugee Board.

³ Special governmental agency established by President Roosevelt on January 22, 1944, by Executive Order 9417, which stated: “It is the policy of this Government to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible relief and assistance consistent with the successful prosecution of the war.” For text of this Executive Order, see 9 *Federal Register* 935; see also Department of State *Bulletin*, January 22, 1944, p. 95. For documentation regarding the activities of the War Refugee Board, see *Foreign Relations*, 1944, vol. I, pp. 981 ff.

⁴ Roswell D. McClelland, representative of the War Refugee Board in Switzerland.

all of them have relatives in Palestine. They do not know whether the certificates supposedly available for them at Istanbul are still valid or whether the Zionist organizations have taken any steps to assure their emigration."

Although it is not certain that this is the same group referred to in our WRB-19 of November 3⁵ and your 9736 of November 9,⁶ it is hoped that you will be able nevertheless to obtain the consent of the British to the admission of this group of refugees to Palestine. The Swiss are extremely anxious and consider it imperative that this entire group of refugees be removed from Switzerland as soon as possible. This is an excellent opportunity to demonstrate to the Swiss our good faith in promising to find temporary havens for all refugee Jews arriving in Switzerland from Hungary, particularly since the Swiss have indicated their willingness to permit 8,000 more Hungarian Jews to enter Switzerland on a temporary basis.

AFHQ⁷ and UNRRA⁸ have agreed to hold the Philippeville Camp in Algeria open to meet emergency needs such as that created by any possible movement of Hungarian Jews. However, it is the Board's feeling, in view of the above-quoted communication by the Swiss to McClelland, that efforts should be made to have this group admitted to Palestine rather than to Philippeville.

Please take this matter up with the British and reply urgently. If the British consent to admit these refugees to Palestine, the United States Government will of course cooperate in arranging transportation.

STETTINIUS

⁵ Telegram 9220, November 3, 1944, midnight, to London (not printed) reported that the United States Government had urged the Swiss Government to take speedy action to enable 2000 Palestine certificate holders in Hungary to proceed to Switzerland and that the United States had promised to use its best efforts to secure the unimpeded progress of these certificate holders to Palestine. This telegram stated that the United States Government was determined to spare no effort in interceding with Swiss, French, Spanish, and Portuguese officials in the interest of securing speedy transportation of the certificate holders in accordance with suggested routing and was prepared to recommend that Allied military and shipping authorities make this speedy transit possible. The United States urged the British to take similar steps to make possible the early departure of the certificate holders for Palestine (840.48 Refugees/11-344).

⁶ Not printed; the British were reported to be uncommitted regarding the contents of the telegram outlined in the preceding footnote, but the Embassy felt that if the reports of the release of Jews were true, the United States would be able to get British commitments parallel to the action outlined by the Department (840.48 Refugees/11-944).

⁷ Allied Force Headquarters, Caserta, Italy.

⁸ United Nations Relief and Rehabilitation Administration; for documentation on the participation by the United States in the work of UNRRA, see pp. 958 ff.

840.48 Refugees/1-645 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, January 6, 1945—4 p. m.

135. To Winant and Mann from Department and War Refugee Board. You are requested to inform the British Government that the discussions referred to in Department's No. 8780 of October 21, 1944,⁹ have been continuing. The discussions originating in various ransom proposals have changed in recent weeks to a proposal by the Swiss participants that in principle, in return for the halting of the extermination of Jews in German hands, relief supplies might be made available for distribution under International Red Cross supervision to keep surviving Jews alive. In order to have something tangible with which to prolong the negotiations and thus gain more precious time, the representatives of the Swiss Jewish Community conducting the negotiations have requested the transfer to Switzerland of twenty million Swiss francs from private American Jewish sources. This Government has just authorized the American Jewish Joint Distribution Committee to transfer the sum of 20,000,000 Swiss francs to Switzerland upon condition that no part of the fund will be expended or committed for expenditure without the express prior approval of this Government.

You will be kept fully advised of any further significant developments.

The foregoing has also been transmitted to Moscow.¹⁰

STETTINIUS

840.48 Refugees/1-945 : Telegram

*The Secretary of State to the Chargé in Switzerland (Huddle)*¹¹

WASHINGTON, January 9, 1945—5 p. m.

127. The following for Huddle and McClelland is WRB 356. In view of well-known German practice of exterminating Jews surviving in any area previous to its evacuation, Department and WRB consider it necessary once more to draw attention of Swiss and Intercross au-

⁹ Not printed; the Department advised the Embassy that discussions had recently taken place on the German-Swiss border between representatives of Jewish groups in Budapest, accompanied by reputed Gestapo agents, and Swiss citizens representing the Swiss Jewish community in an effort to possibly forestall the continued deportation and extermination particularly of Hungarian and Slovakian Jews. No agreements or commitments had been made or authorized. This telegram was repeated to Moscow as 2484, October 20, 1944, 7 p. m. (840.48 Refugees/10-444).

¹⁰ As telegram 35.

¹¹ Sent also to Stockholm, as telegram 106, January 19, 8 p. m.

thorities to the danger faced by the Jewish survivors in German-controlled territory.

Accordingly, it will be appreciated if you will visit newly appointed Swiss Foreign Minister¹² and President of Intercross,¹³ and urge that continued efforts be made from now on to keep the surviving victims of Nazi persecution alive during the coming stages of hostilities in Europe. You should specifically mention in this connection the three largest concentrations of Jews in Axis territory known to exist, viz. Lodz with 60,000 to 80,000 inmates, Theresienstadt with 40,000 to 60,000 inmates, and camps near Vienna with 18,000 inmates, and you should also mention any other localities or regions where Jews are believed by you to survive.

In your conferences with Swiss Foreign Minister and Intercross President it should be made clear that this Government considers that frequent and extended visits of Swiss Consuls and Intercross delegates to places and regions where Jews are concentrated constitute one of the most effective means of preventing their further extermination. This method proved its efficacy in Budapest where, thanks to the presence of Swiss and Intercross personnel, many lives appear to have been saved.

Furthermore, you should emphasize to Foreign Minister and Intercross President the mounting evidence of confusion among local German officials and their increasing accessibility to psychological pressure seeking to dissuade them from executing extermination policies ordered by certain German authorities, and urge that full advantage be taken of this state of mind in the interest of saving lives, through unofficial as well as official channels.

More particularly, in view of German consent to permit Intercross inspection and care for Hungarian Jews engaged in forced labor in Germany and German-occupied territory (enclosure 1 to your despatch 10132 of December 6¹⁴), please request immediate and continuing Intercross action to safeguard lives of this largest group of Jews surviving under German rule.

Please endeavor to make clear to Swiss and Intercross that the activities suggested above should be actively pursued as long as the danger continues.

Please advise Department and WRB of Swiss and Intercross reaction.

¹² Max Petitpierre.

¹³ Charles J. Burckhardt, President of the International Red Cross.

¹⁴ Not printed; enclosure 1 was a note from the Swiss Foreign Office dated November 25, 1944, which contained a reply from the Hungarian Foreign Office to an American message concerning the removal of Jews from Budapest to punitive work camps in the provinces (840.48 Refugees/12-644).

The following from WRB for McClelland:

It would be helpful if you inquired at frequent intervals what specific action Swiss and Intercross are taking to carry out the above suggestions.

In view of the situation as outlined above and in view of your recent reports indicating effectiveness of publicity and other forms of psychological pressure upon German officials, you are requested to make special efforts through all channels available to you to increase such pressure with a view to safeguarding the lives of the surviving victims of Nazi persecution.

STETTINIUS

840.48 Refugees/1-1645 : Telegram

*The Acting Secretary of State to the Chargé in Switzerland
(Huddle)*

WASHINGTON, January 16, 1945—4 p. m.

240. The following for McClelland is WRB 364. Doubts have been expressed by certain private relief agencies in America, hopeful of being able to arrange large-scale escape of refugees from Nazi persecution, whether Swiss Government is willing to keep its doors open to a further flow of such refugees, whatever their numbers. Please investigate, if necessary, and advise us.

Should you believe it useful now or at any future time, you are authorized to emphasize to Swiss officials that the previous assurances given by this Government concerning the maintenance and evacuation of refugees from enemy persecution who would be admitted to Switzerland were not restricted to any particular number of persons and that this Government would deeply appreciate continued Swiss cooperation in this humanitarian endeavor by admitting all such refugees who may be able to reach Switzerland, without regard to numbers.

GREW

840.48 Refugees/1-2045 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 20, 1945—noon.

330. The following for McClelland is WRB 371. Reference is made to Department's 127 of January 9, 1945, paragraph 5.

A report on the situation of Jews in Hungary by Intercross, dated November 15, 1944, and transmitted to WRB through Intercross

representative in Washington, states on page 10 (our translation from French) as follows:

"Our delegation in Budapest specifies that, in accordance with a declaration of Hungarian Minister of Interior,¹⁵ the Delegation of Intercross in Germany will have opportunity to exercise control over the working conditions of Hungarian Jewish workers placed under the supervision of Hungarian authorities. Intercross has immediately charged its Delegation in Germany to obtain opportunity to control the camps of Hungarian Jewish workers. A confirmation that German authorities accept such control has not yet been received to date."

Please urge Intercross to follow up this matter until satisfaction is obtained.

STETTINIUS

840.48 Refugees/1-2045 : Telegram

*The Secretary of State to the Minister in Sweden (Johnson)*¹⁶

WASHINGTON, January 20, 1945—5 p. m.

110. The following for Johnson and Olsen¹⁷ from Department and War Refugee Board is WRB 296. Board understands that Swedish Minister in Washington,¹⁸ at the request of a private organization, is transmitting to the Swedish government the request that Sweden again appeal to the German Government to refrain from further extermination and persecution of the Jews remaining in German-occupied territory.

You may indicate to appropriate Swedish officials that this Government would welcome an appeal along such lines.

STETTINIUS

840.48 Refugees/1-2245 : Telegram

*The Secretary of State to the Minister in Ireland (Gray)*¹⁹

WASHINGTON, January 22, 1945—8 p. m.

20. The following from Department and War Refugee Board refers your 9 of January 17.²⁰

¹⁵ Ferenc Erdei.

¹⁶ The same, *mutatis mutandis*, sent as telegram 338, January 20, 6 p.m., to Bern. Telegram 885, February 8, 1945 (not printed), reported that the Legation was informed that Swiss authorities had contacted the Swiss Legation in Berlin with a view to examining the means of taking action along the desired lines (840.48 Refugees/2-845).

¹⁷ Iver C. Olsen, Representative of the War Refugee Board in Sweden.

¹⁸ W. Boström.

¹⁹ A similar telegram was sent as 368, January 22, 10 p. m., to Bern.

²⁰ Not printed; it stated that in reply to inquiries by the Irish Government the German Government had stated that the rumors of German intentions to exterminate the Jews in Oswiecim, Hoss, and Birkenau camps were pure inventions and that if the camps were abandoned the inmates could be evacuated (840.48-Refugees/1-1745).

Kindly express to Irish authorities appreciation this Government of their humane initiative in the matter of threatened Jewish inmates of German camps.

Department and Board, in this connection, would greatly appreciate it if Irish Government could inform German Government that Government of the United States has noted the reply of the German authorities to Ireland, and that this Government accordingly confidently expects that the German authorities will keep alive the Jewish and other survivors of these and other concentration, detention and labor camps in Germany and German-controlled territory.

It is urgent that this communication reach German authorities with the greatest possible speed, because of nearness of Oswiecim and Birkenau to the front.

STETTINIUS

840.48 Refugees/1-2245 : Telegram

*The Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, January 22, 1945—9 p. m.

134. The following for Harriman is from Department and War Refugee Board. In line with record of their past cruelties it is feared that, prior to retreat, the Germans will massacre Jewish and other survivors in Auschwitz (Oswiecim) and Birkenau near Kattowitz and other camps in that area. Please suggest to Soviet authorities the urgency of addressing suitable warnings to Germans in those localities by radio and pamphlets. It is felt, due to nearness of Soviet forces, that such warnings from them would be helpful and effective. Please also take up with Soviet authorities feasibility of their taking direct measures for the protection of inmates of camps.

Board is anxious to hear, as indication whether Germans previous to retreat continue their policy of exterminating remaining Jews, whether 60,000 to 80,000 Jews reported in Lodz a few months ago were found alive. Kindly inquire and cable results.

STETTINIUS

840.48 Refugees/1-2545 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 25, 1945—3 p. m.

[Received 9:45 p. m.]

531. For WRB from McClelland. Department's 240, January 16, WRB's 364. In course of constant contact with various officials and agencies of Swiss Government during past many months on subject of admission to Switzerland of refugees from Nazi persecution, we

have observed no lack of willingness on part of Swiss to grant large numbers of such persons temporary asylum. On contrary Swiss have repeatedly interceded with Germans as in case of projected evacuation of upwards of 12,000 Jews from Budapest in effort to expedite and organize such evacuation.

On occasion of coming of second Bergen-Belsen convoy of 1300 individuals in early December Federal police was somewhat disturbed over unannounced arrival of group of unknown persons of this size from Germany on understandable grounds of military and internal security.

We have repeatedly conveyed to Swiss our Government's assurance that any such refugees admitted to Switzerland would be evacuated as promptly as possible. Although Swiss have not as yet chosen to avail themselves of our offers of maintenance they took occasion in course of recent discussions relative to conversion of dollar equivalent of the 20,000,000 into Swiss francs to express informally their distress at United States unwillingness to allow them import into Switzerland even from Spain some 300,000 tons of foodstuffs purchased for general Swiss consumption and warehoused in Spain for past many months. Our lack of understanding (as they interpret it) of growing difficulties their food situation and our simultaneous requests that they admit large numbers of new refugees contrast rather unfavorably in their minds. It is worth nothing [*noting?*] in this respect that Switzerland has recently received a new contingent of close to 10,000 French refugee children from the Muhlhouse [*Mulhouse*] region. [McClelland.]

HUDDLE

840.48 Refugees/1-2545 : Telegram

The Ambassador in Turkey (Steinhardt) to the Secretary of State

ANKARA, January 25, 1945—4 p. m.

[Received January 26—1:29 a. m.]

130. From Katzki²¹ to Pehle, War Refugee Board. Ankara's No. 7.²² The following statistics, one year after the creation of the War Refugee Board, relating to rescue and emigration activities from the Balkans via Turkey to Palestine for the calendar year 1944, will be of interest to the Board. The total number of persons who passed in transit through Turkey proceeding to Palestine excluding 282 people from Holland exchanged for German nationals in July is 6527. Of this number 1392 came from Bulgaria, 163 from Hungary, 4433 from Rumania and 539 from Greece.

²¹ Herbert Katzki, War Refugee Board Representative in Turkey.

²² Dated January 3, 1945, not printed.

It should be noted, however, that persons included under Rumania comprise not only Rumanian nationals but a large proportion of Polish, Slovakian, Ruthenian and Hungarian refugees who succeeded in escaping to Rumania.

The total of 6527 includes 1737 children and youths up to the age of 18 years. Approximately 1,000 were orphans repatriated from Transnistria. An additional 327 accompanied their parents and the balance comprises children emigrating without parents.

All the refugees from Greece escaped by sea. Ten groups arrived by sea from Constanza using vessels of Bulgarian registry 5 times and Turk vessels 5 times. An 11th group from Constanza was lost with the sinking of the *Mefkura*. Other refugees from Bulgaria and Rumania arrived by railroad.

Thus far in January 628 additional persons from Rumania (the Stara-Zagora detainees) have passed through Turkey proceeding to Palestine.

The success of this rescue work, as you previously have been informed, is attributable to the breaking of the bottle-neck into Turkey as a result of the efforts of Ambassador Steinhardt and the WRB. [Katzki.]

STEINHARDT

840.48 Refugees/1-2645 : Telegram

The Chargé in the Soviet Union (Kennan) to the Secretary of State

Moscow, January 26, 1945—10 a. m.

[Received January 26—9:32 a. m.]

238. In accordance with the wishes expressed in the Department's 134, January 22, 9 p. m., I have reminded the Foreign Office of the existence of these concentration camps and of the possibility that they may still contain victims of Nazi persecution. I have expressed the War Refugee Board's interest in the welfare of these persons and in such measures that can be taken for their protection. The Soviet Government has not yet released any information concerning the civilian populations of the areas covered by their recent advances and it is obvious that this question is regarded for the time being as a military secret. In no case furthermore has the Soviet Foreign Office been willing to my knowledge to divulge information of this sort. I doubt whether the Soviet military authorities make any discrimination between Jews and others in such records as they may make of civilians liberated by their advance. Furthermore when we inquired last September about the Jews in Lodz, the Foreign Office replied that it was unable to give us any information on that question and referred

us to the Polish National Committee of Liberation.²³ I have no doubt that a similar attitude will be taken in the present instance.

As the Department will note from the Embassy's 4730, December 9, 11 p. m., and 5059, December 30, 2 p. m.,²⁴ the Embassy has made every effort to obtain information on the fate of the Jews in Russian controlled territories. As soon as the Polish authorities have had an opportunity to establish their administration in the recently liberated territories and to find out what has gone on there, we will not fail to exploit every possibility for obtaining similar information with regard to those territories.

KENNAN

S40.48 Refugees/1-2945 : Airgram

The Chargé in the Soviet Union (Kennan) to the Secretary of State

Moscow, January 29, 1945—1 p. m.

[Received February 17—5 p. m.]

A-27. Department's telegram 35, January 6, 4 p. m.,²⁵ with reference to schemes for ransoming Jews in German hands.

Ambassador Harriman was not able before his departure from Moscow to give attention to this matter.

After giving careful consideration to the request made by the War Refugee Board, I am obliged to say that I do not feel that it would be in the interests of our Government to transmit this information to the Soviet Government. In view of the extreme suspicion with which the Soviet Government views all financial transactions with Germany conducted through Swiss channels and in view of the marked lack of enthusiasm with which communications on this subject have been received in the past, I feel that to impart this information to the Soviet Foreign Office would have the effect of undermining confidence here in the integrity of our economic warfare effort and would thus be definitely detrimental to our interests.

The Soviet Government is well aware of the sufferings being inflicted on victims of Nazi persecution of every race and nationality. Their own citizens have been done to death by the Germans in numbers which, they believe, run into the millions. Hundreds of thousands of their citizens are apparently still believed to be held in detention in Germany. Soviet circles feel that the Soviet Union through its war effort is doing the best that can be done to bring to an end this reign

²³ By a decree of July 21, 1944, a Polish National Committee of Liberation was formed which subsequently became known as the "Lublin Committee". Regarding the establishment of this Committee, see telegram 2736, July 24, 1944, from Moscow, *Foreign Relations*, 1944, vol. III, p. 1425.

²⁴ Neither printed.

²⁵ See footnote 10, p. 1121.

of terror and thus to relieve the sufferings of all these unfortunate people, Russians and foreigners alike.

The Soviet Government apparently does not believe, as a matter of principle, in dickering with bandits, and has generally taken the position with regard to its own people that the interests of the Soviet State and of the Allied powers in general override the interests of those groups who are unfortunate enough to fall into the hands of the enemy. The idea of ransoming any of these people by the payment of sums which can help the Germans to prolong their war effort will not only fail to appeal to the Russians but will be interpreted by them as a form of betrayal of general United Nations interests on our part. In particular, they will fail to understand why these efforts should be directed to the relief of one category of victims of Nazi terror and not others. I am afraid that an explanation to the effect that the transfer of these funds to Switzerland was only a half measure and that we have not yet decided whether or not to release them, will not do anything to improve the impression which this communication would make.

I would therefore strongly recommend that this matter not be communicated to the Soviet Government.

KENNAN

840.48 Refugees/2-745 : Telegram

The Minister in Sweden (Johnson) to the Secretary of State

STOCKHOLM, February 7, 1945—9 p. m.

[Received 11:55 p. m.]

483. I have personally discussed briefly with Foreign Minister Gunther and several times at length with Von Post²⁶ substance Department's 106, January 19, 8 p. m.²⁷ (WRB 293). Official Swedish reaction entirely favorable but both Gunther and Post skeptical that Germans would be in any way amenable to Swedish suggestions in this matter. Full memorandum of our views was transmitted by Foreign Office to Swedish Minister Richert at Berlin who has replied that in his opinion approach by Sweden alone to German Government under present conditions would have completely negative results. Richert also reported German authorities entertaining no requests by Swedes or others to visit these Jewish concentration camps. Foreign Office then on February 3 sent instructions to Swedish Ministers Berlin and Bern to take up secretly with Swiss Government and Vatican through Papal Nuncio at Berlin suggestion that Sweden, Switzerland and Vatican make joint approach in this matter to Ger-

²⁶ Eric Von Post, Chief of the Political Division, Swedish Ministry for Foreign Affairs.

²⁷ See footnote 11, p. 1121.

man authorities pointing out deep concern aroused by statements attributed to Goebbels ²⁸ in *Das Reich* on January 21 indicating lives of Jews in camps in extreme danger and pointing out disastrous reactions on German reputation which would result if they come to harm. No reply received yet from Swedish Minister Bern but Richert reports Papal Nuncio considers such approach not only useless but might under present conditions produce effect contrary to its intentions. Same opinion expressed by Swiss Minister Berlin.

Swedish Government keenly aware of dangers and all their implications. I was assured by Post that they are examining every possibility for useful action. Fact that Swedish Government has made these exploratory suggestions to Vatican and Swiss Government should be kept secret and given no publicity.

There exists bare possibility Intercross might be able to take some action. Richert expressed opinion it is only possible body which could be employed.

JOHNSON

840.48 Refugees/2-945 : Telegram

The Minister in Sweden (Johnson) to the Secretary of State

STOCKHOLM, February 9, 1945—7 p. m.

[Received February 10—2:49 a. m.]

507. I was informed this p. m. by Von Post that reply has been received from Swedish Minister Berlin to instructions mentioned in my 483, February 7, 9 p. m. Swiss Government unwilling to make joint *démarche* with Vatican and Swedish Government to German Government on behalf of Jews in concentration camps but has instructed Swiss Minister Berlin to confer with Swedish Minister and examine possibilities presumably for independent action. Von Post said Swiss official reply in general was more encouraging than reaction of Papal Nuncio and Swiss Minister in Berlin. He also said a Swiss Citizen Monsieur Musy ²⁹ succeeded in getting liberation of 1200 Jews from Theresienstadt through his private efforts and that these people now on way to Switzerland. Previous lot of 1500 said to have been freed as result of Musy's efforts already arrived in Switzerland. Foreign Office considers news of these releases through private efforts of significance and indicates possibility for release of others.

JOHNSON

²⁸ Joseph Goebbels, German Minister for Public Enlightenment and Propaganda.

²⁹ Jean-Marie Musy, a former Federal Councilor of Switzerland.

840.48 Refugees/2-1545

*Memorandum by the Adviser on Refugees and Displaced Persons
(Warren) to the Acting Secretary of State*

[WASHINGTON,] February 15, 1945.

MR. GREW: On February 7, 1945, 1,200 refugees arrived in Switzerland from Germany. Their release was arranged by Musy, a former Federal Councilor of Switzerland, who had made a number of trips to Germany at the instigation of Sternbuch, the representative in Switzerland of the Vaad Hahatzala Emergency Committee of the Union of Orthodox Rabbis of the United States and Canada. Musy returned to Switzerland in advance of the refugees announcing that he had secured their release by direct negotiation with Himmler,³⁰ whom he had seen on his previous trips to Germany. He stated that additional groups of refugees would arrive weekly in Switzerland dependent upon German transportation facilities. He advised Sternbuch that he would require a deposit of 5,000,000 Swiss francs in his (Musy's) name in the Swiss National Bank immediately after the arrival of the 1,200. This money he suggested might later be paid over by the Germans to the International Committee of the Red Cross as a further gesture of good faith.

The Rabbis are now pressing the War Refugee Board and the Treasury Department for a license to transmit 4,000,000 Swiss francs to Switzerland to be paid to Musy. They have on deposit in Switzerland 1,000,000 Swiss francs under a previous license. The Department has been asked by Brigadier General O'Dwyer, Executive Director of the War Refugee Board, if it will approve the transaction. He has advised the Rabbis that he will issue the license if the Department agrees.

There are two other negotiations of this character in process. One, originating in a ransom proposal last June, has been shifted by Saly Mayer, the Swiss negotiator and a responsible person, to a proposal that in return for a German promise to cease exterminations relief supplies might be furnished to feed surviving Jews in concentration camps. Mayer has conducted these negotiations with the Germans since August 1944. Early in January 1945 he requested the deposit of 20,000,000 Swiss francs in Switzerland in order to maintain his position in the negotiations. The Board and the Department authorized the transmission of these funds to a joint account in the names of Saly Mayer and McClelland, the representative of the War Refugee Board at Bern, with the stipulation that no commitment or payment be made without express authority from this Government. The transfer of these funds was reported to the British and Soviet Govern-

³⁰ Heinrich Himmler, German Minister of Interior.

ments.³¹ An earlier report on these negotiations brought a reply from the Soviet Government that they were neither feasible nor permissible.

Word of the second negotiations has just come from London. A group of Dutch Jews in Switzerland has requested the Netherlands Government to contribute 350,000 Swiss francs toward a fund to rescue 1,500 Dutch Jews at 1,000 Swiss francs per person. The American Embassy London reports³² that the Netherlands Government has requested the comment of the British and United States Governments in the light of the British, United States, Netherlands declarations in November 1942.³³

In view of the unusual humanitarian considerations involved, FMA,³⁴ EE³⁵ and WT³⁶ are willing to consider approval of the license provided the funds after payment to Musy can be blocked in Switzerland. Mr. Currie, on mission in Switzerland, has the item of "SAFE-HAVENS"³⁷ on his agenda for discussion with the Swiss. British comment on the Dutch inquiry was to the effect that the negotiations should be continued as long as possible but that the payment envisaged would be inconsistent with current SAFEHAVEN proposals.

Two suggestions have resulted from the discussions in the Department.

1. That Mr. Currie might induce the Swiss to agree to block Musy's account after the proposed payment is made, or

2. That the blocking might be accomplished by general SAFEHAVEN arrangements still to be negotiated with the Swiss.

With respect to the latter, the time element is a consideration. The Rabbis fear that delay in payment may jeopardize the rescue of additional refugees.

George W. Baker,³⁸ WT, is leaving on Monday (February 26) to join Mr. Currie in Bern and can be briefed on the proposal before leaving. There is a possibility that the Department may be pressed for a decision before Mr. Currie has an opportunity to discuss blocking proposals with the Swiss.

³¹ Presumably this was not reported to the Soviet Government. See airgram A-27, January 29, 1 p. m., from Moscow, p. 1128.

³² Telegram 1403, February 8, 1945, 10 p. m., from London, not printed.

³³ For press release on the subject of German attempts to extort ransom payments for persons in occupied countries, see Department of State *Bulletin*, November 28, 1942, p. 962.

³⁴ Division of Financial and Monetary Affairs.

³⁵ Division of Eastern European Affairs.

³⁶ World Trade Intelligence Division.

³⁷ For documentation on concern of the United States over enemy attempts to secrete funds or other assets in neutral countries, see pp. 852 ff.

³⁸ Assistant Chief, World Trade Intelligence Division.

840.48 Refugees/2-2245 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, February 22, 1945—9 a. m.

[Received 9:45 a. m.]

1159. For Department and WRB from McClelland. Letter from Minister referred to in last paragraph our 1056, February 16³⁹ was delivered to Burckhardt (B) on February 17 urging ICRC to take action along following lines:

1. Increase to greatest possible extent visits of its delegates to places of detention of all categories of "Schutzhäftlinge";⁴⁰
2. Augment number committee's representatives in Germany as substantially and rapidly as possible;
3. Instruct its delegates to take every advantage of mounting confusion within Germany to mitigate lot of all civil detainees and dissuade German officials from last minute excesses.

Following is substance of B's written reply dated February 19:

"Replying to your letter of February 16 I must in first place stress fact that in their memorandum to us dated February 1 German Government stated: 'Visits to camps and places of detention where alien detainees ("Schutzhäftlinge") are confined are unfortunately not feasible at present moment for imperative reasons of national defense.'

In a recent communication our delegate Dr. Schirmer reported: 'Headquarters of German Security Police have informed us that permission to visit concentration camps of alien detainees must be secured in each particular instance from Himmler himself.'

This present situation. I am awaiting an answer from Himmler concerning place and date I can see him personally. I shall spare no endeavor should interview take place to do my utmost to secure best possible result. You are aware of how difficult that will be.

We are anxious to send as many delegates (to Germany) as possible. They must be men of character. Five new delegates are accordingly leaving for Germany within next few days. We shall send others as soon as we can manage.

Decisive problem is and remains question of transportation. Within 4 days thousands of prisoners and detainees can starve. You are acquainted with cable we sent to Washington (to Secretary of State) following receipt of most recent report from our chief delegate (in Germany Dr. Maeti).

There is not a moment to be lost. Our delegates can only get into camps if they bring something with them and if they have gasoline and can still manage to travel on the roads (with trucks). Should it

³⁹ Telegram not printed; it stated that in face of the evidence of mounting confusion within Germany and the resulting increased accessibility of individual German officials to psychological pressures as they became more isolated by military events and hence more independent, an opportunity was afforded the ICRC to facilitate the relief of security prisoners. Hence, McClelland dispatched a letter from Minister Harrison to Burckhardt urging the latter to take action in line with a previous communication to Burckhardt based on the Department's telegram 127, January 9, 5 p. m., to Bern, p. 1121.

⁴⁰ Persons detained for security reasons.

be found impracticable to except two railway lines in north and south from aerial bombardment then any number of freight cars placed our disposal will be useless. All this is most extremely urgent. Large scale methods of action and sweeping decisions alone can secure any results.

We are often expected to do miracles. That is, of course, impossible; but by exerting every nerve and applying all our will we can do something provided certain indispensable means for execution of our task be furnished us."

End of B's reply.

On February 20 I had a personal interview with B who informed me that he had dispatched letter to Himmler on February 17 asking for a meeting.

First paragraph of B's reply of February 19 refers to answer finally received from German Foreign Office to ICRC'S memorandum of October 2 (Legation's 7998, December 7⁴¹). Substance of German reply was issued in an ICRC communiqué of February 14 which is being transmitted in Legation's 1143, February 21.⁴² [McClelland.]

HARRISON

840.48 Refugees/2-2345: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 23, 1945—2 p. m.

[Received 11:03 p. m.]

1870. For Department and WRB. ReDeptel 66, January 3, 12 p. m., and 308, January 13, 12 p. m.⁴³ In note dated February 21 Foreign Office informed Embassy as follows:

Particulars have now been received from British Legation at Bern concerning the group of 1675 Jewish refugees from Bergen-Belsen. British authorities are naturally pleased at release of these refugees. There are however considerable difficulties to British agreement for immediate admission "of all or indeed any" of the group into Palestine. Arrangements were made by the British authorities when practically the whole of Europe was occupied by the enemy whereby a large number of European Jews were advised that certificates for entry into Palestine would be issued to them should they reach neu-

⁴¹ Telegram not printed; it stated that the ICRC had approached the German Foreign Office with a request that the German authorities consider extending to persons detained for security reasons the treatment already granted to enemy nationals in Germany and the German-occupied territory by analogy to the Geneva Prisoners of War Convention of 1929 (840.48 Refugees/12-744). For text of Convention, see *Foreign Relations*, 1929, vol. I, p. 336.

⁴² Not printed; it stated that the German Government had declared that civilian detainees from French and Belgian territories would henceforth "enjoy treatment more closely resembling regime reserved for POWs and civilian internees proper." (740.00115 E.W./2-2145.)

⁴³ Latter not printed.

tral territory. At the same time British passport control officer at Istanbul was authorized to issue Palestine visas automatically to any Jewish refugee who reached Istanbul. This arrangement was designed simply and solely to save from persecution as many Jews as possible. A certain claim to immunity from the worst forms of persecution was given them by a document to the effect that they would be admitted into Palestine. Consequently not much regard for the "absorptive capacity" of Palestine was held in giving these assurances. It was ensured through the authorization to the British passport control officer at Istanbul to grant visas that no Jew who succeeded in reaching the Turkish frontier would be turned back. This position was fully understood and accepted by the Jewish agency for Palestine. The British had to take steps to provide that Palestine immigration take place in a more orderly manner now that conditions in Europe have changed and the area of enemy action domination has shrunk. Immigration to Palestine at the present time is on a basis of a quota of 10,300 Jewish immigrants. This quota is to be filled as from October 1, 1944 at a rate not exceeding 1500 a month. The Jewish agency for Palestine has the initial choice of immigrants under this scheme. Consequently there must first be considered the admissibility of these refugees into Palestine under the present quota arrangements. However the British agree with the American authorities that the Swiss Government "who seem themselves to have taken the initiative on this point" should not be burdened any longer than is absolutely necessary with the presence of these refugees. The best solution therefore would seem to be their removal from Switzerland to some other place where temporary housing and care can be given them. From further correspondence through military channels British understand that the War Refugee Board intends for the present to do this and that steps are already underway on the part of SHAEF,⁴⁴ AFHQ and UNRRA looking toward the removal of the whole group from Switzerland either to an UNRRA camp in Italy or to the UNRRA camp at Philippeville. It is very likely that some of these refugees will prove to be UNRRA's responsibility under resolution Nos. 57 and 60 of the Montreal Conference.⁴⁵ UNRRA is authorized by these resolutions to carry operations for the care and repatriation or return of persons "who have been obliged to leave their country or place of origin or former residence or who have been deported therefrom by action of the enemy because of their race, religion or activities in favor of the United Nations". So far as the

⁴⁴ Supreme Headquarters, Allied Expeditionary Force.

⁴⁵ Second Session of the UNRRA Council, Montreal, September 15-27, 1944. For texts of Resolutions 57 and 60, see George Woodbridge, *UNRRA: The History of the United Nations Relief and Rehabilitation Administration*, vol. III, pp. 135 and 137, respectively; see also *Foreign Relations*, 1944, vol. II, p. 353, footnote 42.

British are concerned this arrangement consequently fully acceptable. The Foreign Office assumes that the Inter-Governmental Committee⁴⁷ is being kept fully informed of developments by the War Refugee Board since the IGC has special responsibilities with respect to Hungarian Jews who escaped from enemy hands under arrangements made last summer in connection with the so-called Horthy offer.⁴⁸

WINANT

840.48 Refugees/2-2345 : Telegram

The Minister in Sweden (Johnson) to the Secretary of State

STOCKHOLM, February 23, 1945—9 p. m.

[Received February 23—8 p. m.]

696. When I saw Von Post this afternoon he informed me that the Swedish Minister had made an approach without the support of the Swiss Minister or the Papal Nuncio in regard to the Jews who were the subject of my 507, February 9, 7 p. m., and related correspondence. These representations, in which it appears Kleist,⁴⁹ who has close relations with Himmler, was concerned, has had result that according to Von Post Germans have consented to 2,000 Jews being removed from concentration camps in Germany to Sweden. I will endeavor to secure further details regarding these 2,000 and, if possible, the names of the camps from which they are to be taken.

JOHNSON

840.48 Refugees/2-2345 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, February 23, 1945—midnight.

819. The cable below to Harrison and McClelland from Department and War Refugee Board is WRB 416.

The following is text of memorandum of Executive Director of War Refugee Board which was unanimously approved at Board meeting February 20th:

"Memorandum to: Secretary Stettinius
Secretary Morgenthau⁵⁰
Secretary Stimson⁵¹

⁴⁷ The Inter-Governmental Committee on Political Refugees (IGC) was established in July 1938. For documentation, see *Foreign Relations*, 1938, vol. I, pp. 740 ff.

⁴⁸ For a press statement on the offer of the Hungarian Government to release Jews, see Department of State *Bulletin*, August 20, 1944, p. 175.

⁴⁹ Peter Kleist, German Eastern Specialist in the Dienststelle Ribbentrop, member of Ribbentrop's personal staff.

⁵⁰ Henry Morgenthau, Jr., Secretary of the Treasury.

⁵¹ Henry L. Stimson, Secretary of War.

Our best information indicates that, while the enemy has abandoned wholesale extermination of detainees, large numbers of the physically unfit are now in imminent danger of death due to starvation, exposure and deliberate neglect. The actual numbers are unknown and are believed to be changing daily.

Food, medicines and clothing must be distributed to such detainees at once if their lives are to be saved. They should be removed, if possible, to safety in Switzerland without unnecessary delay.

The International Red Cross is our only means of direct contact with the camps. Operations can best be conducted from Switzerland.

The War Refugee Board is requested to authorize its representative to obtain the necessary cooperation of the International Red Cross and the Swiss Government.

The War Refugee Board is further requested to approve that the necessary food, medicines and transportation equipment be made available to the International Red Cross by the Swiss Government against our promise of repayment or replenishment after the war. It is understood that private funds are available for the necessary financing.

(Signed) William O'Dwyer
Executive Director

Approved: (Signed) Joseph C. Grew
Acting Secretary of State
(Signed) H. Morgenthau, Jr.
Secretary of the Treasury
(Signed) Henry L. Stimson
Secretary of War."

You will note that the program approved envisages (1) furnishing food and other relief through the International Red Cross to physically unfit unassimilated detainees who are within enemy-controlled territory, and (2) their removal by the International Red Cross to safety in Switzerland as soon as possible.

The Executive Director of the Board plans to go to Switzerland in the near future in connection with the foregoing program. In the meantime, you are requested to do the following immediately.

1. Explore the availability in Switzerland of food and other relief supplies as well as transportation equipment. Please advise the Board and Department at once whether relief trucks are permitted to move from Switzerland to German-controlled areas and return to Switzerland for reloading of supplies;

2. Approach Intercross with a view to obtaining their consent to deliver the relief supplies in enemy territory and to organize and effectuate the removal of detainees to Switzerland;

3. If Currie Mission concurs please approach the Swiss Government for the purpose of obtaining its consent (a) to make available to Intercross now the necessary supplies and equipment for the foregoing relief and evacuation program and (b) to admit all detainees who reach Swiss borders and house and maintain them under guard

until we are able to arrange for their evacuation to Allied territory. You may assure the Swiss that this Government will arrange for the replenishment from the outside of all supplies made available by the Swiss for this purpose and compensation for use of equipment.

Please report all developments to Department and Board.⁵²

GREW

840.48 Refugees/3-845 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, March 8, 1945—7 p. m.

[Received March 8—6:24 p. m.]

1481. For Department from WRB and McClelland. Department's 819, February 23 and Legation's 1345, March 2.⁵³ Conversation with Burckhardt of ICRC on March 6 revealed that Himmler has now signified his willingness to meet with Burckhardt on March 10, 11 or 12. Burckhardt accompanied by his personal secretary, Bachmann, will therefore definitely leave for Germany on March 8 or 9. Conversations will be exclusively with SS, principally Himmler and Kaltenbrunner.⁵⁴ Intermediary who extended SS invitation stated that he had been instructed to inform Burckhardt that "the Führer's health permitting" Hitler himself might be present at part of discussions.

Above paragraph is for strictly confidential information of Department and WRB.

Burckhardt plans to take up whole question of relief to prisoners of war and to all categories of "Schutzhaeftlinge" irrespective of nationality, race or religion. The release and removal of physically unfit particularly raised.

In this connection ICRC was officially informed on March 3, by German Government that latter now agreed to exit from Germany of elderly persons, women and children who were unsuited as labor, of "Nordic" extraction or nationalities and of French nationality. Among French it is not clear whether Nazis include Jews. Burckhardt promised me that he will attempt to obtain release of Jews as well within any national group if, for unclarified reasons, Germans wish to limit evacuees to certain nationalities.

According to plan reported our 1345, 25 trucks with fuel and POW parcels left Switzerland March 7 for Germany. Germans OKW⁵⁵

⁵² Action along the lines of the foregoing telegram was reported in telegram 1345, March 2, 1945, 11 a. m., from Bern (840.48 Refugees/3-245).

⁵³ Latter not printed; see footnote 52, above.

⁵⁴ Ernst Kaltenbrunner, Himmler's deputy in the Reichssicherheitshauptamt (the Security Office which controlled the Criminal Police, the Foreign Political Intelligence, and the Gestapo).

⁵⁵ High Command of the Wehrmacht.

has now granted permission for entry as many trucks as ICRC desires for POW relief. It is not clear whether this authorization includes trucks carrying relief to Schutzhaeftlinge. Burckhardt will endeavor secure favorable decision on this point.

Number of trucks now potentially available to ICRC in Switzerland very inadequate to any extraordinary relief program for POWs, not to speak of Schutzhaeftlinge, and would be also insufficient if Nazis agree to permit removal from Germany of any considerable number of Schutzhaeftlinge. In all ICRC has 48 United States trucks of from 7 to 8 tons capacity and 50 Canadian trucks of only 3 tons.

It is my understanding that SHAEF has now agreed to supply fuel but only for transport relief to POWs and not for unassimilated groups. You might wish to take this question up with War Department.

It is not impossible that we may suddenly be confronted with a major technical and transport problem if, following Burckhardt's negotiations, Germans agree to release a large number of Schutzhaeftlinge who might conceivably run to several tens of thousands. It is most unlikely under present conditions Germans will be able or willing transport such evacuees to Swiss border or Swiss to send railway trains to Germany to get them.

I am working on problem transport our 60,000 WRB parcels to unassimilated groups in Germany through private Swiss trucking concerns and ICRC Division of Special Assistance. There is slight possibility of obtaining 5 to 8 wood-burning trucks if tires can be supplied from outside or at very least guarantee of their replacement within a short and precise time limit. One must estimate average 10 heavy duty tires and 2 spares per truck.

Regarding entry of new and larger groups of refugees, von Steiger, President of Confederation, assured ICRC that in principle Switzerland would admit such groups to the limit of its possibilities. [WRB and McClelland.]

HARRISON

840.48 Refugees/3-945: Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, March 9, 1945—8 p. m.

998. The following for McClelland from O'Dwyer is WRB 438.

Reference your No. 1217 of February 24, and No. 1345 of March 2, 1945,⁵⁶ and Department's No. 819 of February 23, 1945.

⁵⁶ Neither printed.

1. The Board regards as most urgent that all possible steps be taken at once for the delivery of War Refugee Board food parcels to intended beneficiaries in enemy territory. Accordingly, you are hereby authorized to procure the necessary transportation, including trucking facilities, gasoline, tires, oil, etc., from any source to be made available to the International Red Cross for (a) the delivery of War Refugee Board food packages and (b) for the evacuation of physically unfit detainees from enemy territory to Switzerland. The Board urges haste in this program.

2. The War Department today has cabled General Eisenhower⁵⁷ recommending the release of 50 tons of trucking capacity with 1500 to 2000 gallons of gasoline per week and necessary lubricating oil for delivery to the International Red Cross in Switzerland earmarked for War Refugee Board operations. G-4 at Paris has been instructed by the War Department to expect your arrival in Paris and you are hereby directed to proceed to Paris at once to work out necessary details.

3. You should, of course, continue to make every effort to obtain transportation equipment from other sources including Swiss Government and private sources in Switzerland, since ultimate transportation needs may require more than 50 tons of trucking capacity.

For your information, the Swiss Minister in Washington⁵⁸ has advised me that he has recommended to his government that adequate trucking facilities be released by the Swiss for this urgent War Refugee Board work.

Use your best judgment in handling complications which may arise. Please keep Board advised of all developments. [O'Dwyer.]

GREW

840.48 Refugees/3-2845: Telegram

The Minister in Sweden (Johnson) to the Secretary of State

STOCKHOLM, March 28, 1945—8 p. m.

[Received March 29—9:12 a. m.]

1186. As reported in our 876 of March 7, noon to Department⁵⁹ (No. 129 for War Refugee Board) Felix Kersten went to Berlin in early March to render certain medical attention to Himmler.⁶⁰ Prior to his departure certain individuals here provided him with the memoran-

⁵⁷ Gen. Dwight D. Eisenhower, Supreme Commander, Allied Expeditionary Force.

⁵⁸ Charles Brugmann.

⁵⁹ Not printed.

⁶⁰ Felix Kersten, a Finnish resident of Stockholm, had attended Himmler for some years.

dum of questions to be raised concerning the status of Jews in Germany. These questions included the following points:

(a) Assurances that food packages to Jews in German concentration camps were actually reaching destination;

(b) Permission to have future distribution of food packages from Sweden to be supervised by Swedish Red Cross:

(c) Number of Jews recently in Germany, broken down by number and location of each camp and data as to the nationality of such Jews;

(d) Question of eight various categories of Jews, such as those with South American passports (presently under negotiation by Swedish Government);

(e) General question of freeing larger groups of Jews against appropriate guarantees of transportation and support.

Kersten has not [*now?*] returned to Stockholm and has presented a rather incredible account of his discussions with Himmler which are presented below without comment.

He stated that at present there are about 350,000 Jews in Germany. He added that 8,000 of them have Palestine visas and probably would be released if Swedish Government took appropriate steps in the matter. He states that Himmler expressed a most sympathetic interest in Jewish problems, mentioning specifically the following:

(a) Himmler was especially interested to know that the 2,700 Jews arrived in Switzerland and whether this group had commented favorably upon the delivery of food packages;

(b) Himmler was receptive to the idea of placing Jews in specially arranged Red Cross camps with the administration completely under the jurisdiction of the Red Cross;

(c) Himmler called a meeting of all Jewish camp administrators for March 24 in order to give strict orders for the improved treatment of Jews hereafter. This will include the instruction that each camp leader hereafter will be held strictly accountable for the death of any Jew in his camp and will be required to file a full report of circumstances underlying any such death. Kersten added that, in his presence, Himmler dictated certain orders concerning the necessity of improved sanitary conditions in Jewish concentration camps;

(d) Himmler expressed a willingness to receive at once a special emissary from Sweden to discuss with him personally the Jewish problem. This was advanced with particular reference to a stateless Jew of Latvian origin (Storch, local representative of World Jewish Congress) who has been Legation's intermediary in several contacts of similar nature; and

(e) Emphasis was placed on the unfortunate results in case these discussions were used by the Allies as propaganda to portray German weakness. It was added that because of the delicate nature of the discussions as well as rather well-known mixed feelings in Germany with respect to Jews, the entire matter most urgently must be handled with the greatest discretion.

Kersten has made available two extraordinary documents. The first, on official SS stationery and purportedly signed by Himmler, reads as follows in translation :

"Dear Mr. Kersten, First of all please accept with these lines my thanks for your visit. This time, as always, I have been glad when you came and with old friendship placed your great medical skill at my disposal.

During the long years of our acquaintanceship we have indeed discussed many problems and your attitude was always that of the physician who, remote from all politics, desires the good of the individual human being and of humanity as a whole.

You will be interested to know that during the course of the past 3 months I have brought about the realization of an idea which we once discussed. Roughly 2,700 Jewish men, women and children were taken to Switzerland in two trains. This is in effect the continuation of the policy which my collaborators and I have consistently pursued for many years until the war and the resulting folly in the world made it impossible to carry it out. You know, of course, that I in the years 1936, '37, '38, '39, and '40, in collaboration with Jewish American associations, created an emigration organization which functioned very fruitfully. The two trains which traveled into Switzerland are the intentional resumption, despite all difficulties, of this fruitful procedure.

From a prisoners camp at Bergen Belsen there recently came the rumor that a typhus epidemic of larger proportions had broken out. I immediately sent the hygienist of the SR[SS], Dr. Mrugowski, there with his staff. It was a question of cases in the camp of spotted typhus which unfortunately occurs very frequently among people from the East, but the cases are to be regarded as under control, thanks to the best medical and modern methods.

I have the conviction that, by eliminating demagogism and superficialities, despite all differences and in spite of most bloody wounds on all sides, wisdom and logic must prevail and at the same time the human heart and the spirit of helpfulness.

It goes without saying that, just as I have done throughout all the past years in good times and bad, I shall gladly examine requests which you transmit or communicate to me in the humanitarian sphere and, whenever it is at all possible, shall decide them generously.

With my hearty greetings to your respected dear wife, to your children and especially to you, with old attachment, your (signed) H. Himmler."

The second, also on SS Headquarters stationery and signed by Himmler's adjutant, R. Brandt, reads in part (in translation) as follows:

"Worthy and Dear Mr. Kersten, I can give you the very welcome news that the Reichsführer-SS intends to fulfill the requests which you expressed a few days ago."

I am forwarding photostatic copies of the documents in question under secret despatch.⁶¹ The question of continuing indirect con-

⁶¹ Despatch 5356, April 3, 1945, not printed.

tacts of this nature is one regarding which I, as heretofore, would appreciate urgent instructions from the Department and War Refugee Board since Olsen and I are in agreement that such discussions are not without danger. In the past the principal merit of these discussions has been the time-gaining factor but the tempo of the war as well as the level to which this approach has reached suggest strongly that a basic policy and appropriate instructions are now most urgent. There is also the question of whether Storch should be permitted to go to Berlin. We are of the opinion based on our personal knowledge of Storch's capabilities that it would be most unwise for him to go unless accompanied by a top-flight neutral thoroughly conversant with these problems who could dominate the discussions. This is apart from the over-all question of whether any such discussions should be held at all.

JOHNSON

840.48 Refugees/4-345 : Telegram

The Secretary of State to the Minister in Sweden (Johnson)

WASHINGTON, April 7, 1945—5 p. m.

646. The following for Johnson and Olsen from Department and War Refugee Board is WRB 344, and refers to your numbers 1186 of March 28 and 1235 of April 3.⁶²

Report forwarded in your 1186 greatly appreciated.

Department and Board approve the continuation of discussions designed solely to save the lives of Jews and other victims of enemy oppression by means of relief supplies or evacuation to safety. However, such discussions should be severed immediately if, in the opinion of Minister Johnson, they become political in nature.

Board and Department leave entirely to discretion of Minister Johnson the question of continuing the indirect contacts already made and the question of Storch's going to Berlin.

STETTINIUS

840.48 Refugees/4-945 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 9, 1945—3 p. m.

[Received April 9—2:32 p. m.]

2087. For Department and O'Dwyer of WRB from McClelland. On April 8 Musy who had just returned from his most recent trip to Germany called on me accompanied by Sternbuch with following in-

⁶² Latter not printed.

formation and proposals: On April 3 or 4 Himmler, Schellenberg⁶³ and another SS General named Gehring (whom Musy described as "head of German concentration camp system") were called to a meeting by Hitler who had learned of SS negotiations to release certain categories of "Schutzhaeftlinge". Hitler was opposed to any such release particularly that of Jews.

Preparations were accordingly begun to evacuate fifteen major concentration camps on foot toward Nazi "Reduit" in south.

Nevertheless Himmler and Schellenberg declared themselves willing to preserve *status quo* in these camps and prevent evacuation on condition that they receive assurance from American and British that all SS guards and administrative personnel found in such camps when American or British forces arrive will be treated as soldiers and prisoners of war. This condition was motivated by fear that all such SS guards would be immediately shot.

I told Musy that to best of my knowledge it is not practice of American or British Armies to shoot anyone in uniform of unit regularly incorporated in German armed forces who properly surrendered without resisting.

I requested Musy to provide information as soon as possible as to the exact geographic location of these fifteen camps.

Musy declared that he must have an answer by 7 p. m. April 11 at latest if evacuation these camps is to be avoided.

In the light of earlier proposals made by the Nazis it is difficult to understand the present which is apparently of such small advantage to them.

Please inform me of what action if any you wish me to take.⁶⁴
[McClelland.]

HARRISON

840.48 Refugees/4-1145 : Telegram

The Minister in Sweden (Johnson) to the Secretary of State

STOCKHOLM, April 11, 1945—1 p. m.

[Received April 11—12:02 p. m.]

1345. For Department and War Refugee Board. In a communication dated April 8, 1945, to Kersten from Brandt, Himmler's personal adjutant, it is stated that Himmler has instructed his S.S. staff at Bergen Belsen to leave the Jews in the camp undisturbed and to permit them to be taken over by the advancing Allied forces.

JOHNSON

⁶³ Walter Schellenberg, German Major-General in the Schutz Staffeln, with control over all intelligence operations at home and abroad together with the Military Intelligence Department of the Abwehr.

⁶⁴ There is no indication in Department files of any answer to this telegram.

840.48 Refugees/5-1145 : Telegram

*The Acting Secretary of State to the Minister in Sweden (Johnson)*⁶⁵

WASHINGTON, May 11, 1945—1 p. m.

861. The following for Olsen from War Refugee Board is WRB 366. The Executive Order establishing the War Refugee Board strictly limits Board's activities to rescue and relief of victims of enemy oppression in enemy-occupied territory.⁶⁶ Accordingly, relief and assistance of refugees liberated from the Germans are not within Board's jurisdiction.

Requests received by you concerning relief and assistance of refugees liberated from the Germans should be referred to UNRRA, the appropriate military authorities, the Intergovernmental Committee on Refugees, private refugee organizations or other national or international groups which are authorized to deal with matters of this nature.

You should begin now to wind up all Board activities in Sweden and prepare final reports. Board would appreciate knowing how long this will take.

GREW

⁶⁵ Similar telegram sent to Bern on May 10, 1945, as No. 1763.

⁶⁶ Executive Order 9417.

CONCERN OF THE UNITED STATES OVER PROBLEMS INVOLVING DISPLACED AND STATELESS PERSONS AND REFUGEES ¹

840.48 Refugees/1-245

*Memorandum by the Adviser on Refugees and Displaced Persons
(Warren) to the Secretary of State*

[WASHINGTON,] January 2, 1945.

The Department's authority to act in matters initiated by the War Refugee Board ² and the disposition of the Department to continue activities of the Board which have created difficulties with the British blockade authorities, censorship and neutral countries are considerations pertinent to a decision by the Department to assume the functions of the Board.

The Board's activities in extending relief to refugees in occupied areas through credit operations administered by private agencies or through the expenditure of hard currency were conducted under licenses issued by the Treasury. Should the Department desire to continue such operations licenses would have to be secured from the Treasury. British objections to these operations were based on the contention that they were properly a part of blockade controls. Fear was expressed that they might be extended to the point of risk of assistance to the enemy. The British requested that each license be issued after joint approval by the two governments. This the Board refused on the grounds that agreement seemed unlikely and that immediate action in the issuance of licenses was required. The Board noted that the British Government had not issued any licenses on its own account for such relief purposes. The British Government offered no objections to credit operations for relief in occupied areas, in fact approved identical operations by the Intergovernmental Committee.³

¹ For previous documentation, see *Foreign Relations*, 1944, vol. 1, pp. 981 ff.

² Special governmental agency established by President Roosevelt on January 22, 1944, by Executive Order 9417, which stated: "It is the policy of this Government to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible relief and assistance consistent with the successful prosecution of the war." For text of this Executive Order, see 9 *Federal Register* 935; see also Department of State *Bulletin*, January 22, 1944, p. 95.

³ The Intergovernmental Committee on Political Refugees (IGC) was established in July, 1938; for documentation, see *Foreign Relations*, 1938, vol. 1, pp. 740 ff.

The Board also secured exemptions from the Treasury for its own representatives and those of private agencies from the restricting provisions of the Trading with the Enemy Act.⁴ These exemptions enabled these representatives to communicate with enemy territory in rescue and relief activities. In connection with these activities the Board transmitted and received messages through the Department that were not subject to censorship. Messages addressed by and to private agencies through the Board were submitted by the Department to censorship before transmission or delivery. Certain private messages were suppressed by censorship. The Board notified Censorship that these messages by license of the Treasury were exempted under the provisions of the Trading with the Enemy Act. The authority to exempt was never accepted by Censorship and the point was never satisfactorily determined by conference between Censorship and the Board.

The difficulties with neutral countries, particularly Switzerland, grew out of the Board's methods of presentation of rescue projects. Vigorous language was frequently used and the Board felt strongly that rescue measures to succeed required the laying aside of accepted methods of approach to neutral governments. In the Board's opinion the objective sought justified the unusual measures adopted.

Should the Department decide to carry on the functions of the Board it would do so within the limits of its authority and on the basis of its own developed experience.

The Board has made certain commitments to neutral governments to remove refugees accepted on their territories during the war. These commitments are difficult to appraise. It can however be said that such commitments to Turkey, Spain, Portugal and Sweden have been fulfilled and will not require action by the Department in the future. The commitments to Switzerland have to do with the removal of some two hundred children after the war and of 1,700 Hungarian Jewish refugees received recently by Switzerland. Arrangements are now in process to secure their admission to the UNRRA camp at Philippeville, Algiers. Beyond these specific groups Switzerland may justifiably expect assistance from this government in reducing her present refugee population after the war.

In 1944 the War Refugee Board allotted \$2,000,000 to the Intergovernmental Committee for operational purposes. The Committee has requested \$4,000,000 for 1945. The Board feels that this request is inadequate to meet the needs that will have to be faced.

GEORGE L. WARREN

⁴ 40 Stat. 411.

840.48 Ref/1-3145

*The Adviser on Refugees and Displaced Persons (Warren) to the
Second Secretary of the British Embassy (Russell)*

WASHINGTON, February 13, 1945.

MY DEAR JOHN: As I promised you when you called with Mr. Everson⁵ on February 1, further consideration has been given to your letter of January 18 and your memorandum of January 31⁶ on "Jewish Refugees from the Balkan States".

You will recall that at our meeting on January 5, 1945 at which we discussed your letter to me of December 27⁷ on the same subject, the conclusion was reached that it would not be feasible for the United States Government to support the request of the British Government to UNRRA that refugees reaching the Near East from the Balkan States in excess of current Palestine quotas be admitted to the camp at Philippeville in Algiers. Your letter of January 18 refers to the arrival of six hundred odd refugees at the Turkish border about December 20, who were later admitted to Palestine, and your memorandum of January 31 cites the number of refugees, particularly in Rumania, who may desire to leave that country.

This additional information does not appear to justify a change in the conclusion reached at our January 5 conference. To review the considerations on which that conclusion was based:

1. Refugees in Rumania are now in liberated territory and no longer in danger of their lives.
2. Your memorandum of January 31 states that over 100,000 Rumanian Jews have registered for immigration to Palestine.
3. UNRRA resolutions provide that UNRRA may care for and repatriate those of any nationality or the stateless who have been persecuted by the enemy.
4. The refugees in question desiring to emigrate to Palestine for permanent settlement do not appear in consequence to qualify for UNRRA care at Philippeville.
5. The anticipated movement of refugees in excess of Palestine quotas on which the proposal is based seems unlikely in view of the controls on movement and shipping now in effect in Rumania, Bulgaria and Turkey.
6. In efforts to relieve the needs of Jewish refugees in Rumania, the United States Government has agreed that the Rumanian Government should be requested by the Allied Control Commission to expand activities of relief and rehabilitation on behalf of Jewish refugees.

I shall be glad to review this matter with you again at any time if later developments suggest the need of further discussion.

Sincerely yours,

GEORGE L. WARREN

⁵ Frederick C. Everson, Second Secretary of the British Embassy.

⁶ Neither printed.

⁷ Not printed.

840.50 UNRRA/2-1945

*The Second Secretary of the British Embassy (Everson) to the
Adviser on Refugees and Displaced Persons (Warren)*

WASHINGTON, February 19, 1945.

DEAR MR. WARREN: I write to confirm our talk on the subject of U.N.R.R.A. taking over the responsibility for dealing with Italian displaced persons found in Germany.

An approach on this subject was made to His Majesty's Ambassador in Rome⁸ by the Italian Minister of Foreign Affairs.⁹ The present situation, resulting from various council resolutions bearing on the matter, is that U.N.R.R.A. is authorized, within certain limitations, to deal with Italians displaced inside Italy, but not with those found in enemy territory. U.N.R.R.A. will be dealing with vast numbers of displaced persons in Germany and it may be very inconvenient to the Allied military authorities if U.N.R.R.A. are not allowed to take the Italians in their stride. As it is possible that Italian workers may be found in western portions of Germany which are now being invaded by Allied forces, a decision on this question must be taken in the near future.

We foresee that the suggestion may meet with certain objections. Public opinion in England is strongly against the Italians receiving treatment as good as that accorded to Allied nationals or neutrals and we may well suppose that the attitude of the Governments and people of France, Yugoslavia, and Greece may be even more adverse. These Governments and His Majesty's Government might be subjected to particularly violent criticism if it turned out that U.N.R.R.A. was dealing with large numbers of enemy or ex-enemy nationals and it is therefore not proposed to invoke this proposal, if adopted, as a precedent for allowing U.N.R.R.A. to deal with other displaced enemy nationals than those dealt with in Montreal Resolutions Nos. 47, 57 and 60.¹⁰

The Foreign Office asks for your views on the subject. If you agree with the proposal they suggest raising it first in the European Technical Sub-committee on Displaced Persons. Of course a final resolution on the subject can only come from the Council or Central Committee but perhaps progress would be somewhat speeded up if the Sub-committee were seized of the problem in advance of a meeting of the superior organs of U.N.R.R.A.

I should be glad to have your views on the whole problem.

Yours sincerely,

F. C. EVERSON

⁸ Sir Noel H. H. Charles.

⁹ Alcide de Gasperi.

¹⁰ Reference is to the Second UNRRA Council which met at Montreal, September 15-27, 1944; for texts of Resolutions 47, 57, and 60, see George Woodbridge, *UNRRA: The History of the United Nations Relief and Rehabilitation Administration*, vol. III (New York, Columbia University Press, 1950), pp. 92, 135, and 137, respectively.

840.48 Ref/2-2045

*The Second Secretary of the British Embassy (Everson) to the
Adviser on Refugees and Displaced Persons (Warren)*

WASHINGTON, February 20, 1945.

DEAR MR. WARREN: Russell has passed to me your letter of February 13th about Jewish Refugees from the Balkan States.

I have just received a telegram from the Foreign Office who say that in deference to the State Department's objections, they are prepared to drop their proposal that U.N.R.R.A. should take care of these unfortunate people. The Foreign Office have, however, no alternative solution to offer in the event of further batches of these refugees reaching the Turkish frontier without visas for some destination. As you know the quota of immigrants into Palestine is rigidly fixed;¹¹ immigration into Palestine can therefore make no contribution to the solution of this particular problem.

It is very much to be hoped that your Government's representations to the Roumanian Government through the Allied Control Commission will have some effect though I personally doubt whether the Roumanian Government has either much desire or the resources to assist these refugees, most of whom are from other countries.

Yours sincerely,

F. C. EVERSON

840.50 UNRRA/2-2445: Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, February 24, 1945—5 p. m.

[Received 7:05 p. m.]

1933. ReEmbs 1820 of February 22.¹²

1. The French refusal to sign the multilateral agreement has seriously disturbed UNRRA not so much because of the importance of the provisions of the agreement to which UNRRA believes the French have no objection as because of the significance of the signing of this pact by seven nations as a real step toward international cooperation.

¹¹ A British White Paper of 1939 established a quota of 75,000 for Jewish immigration into Palestine during the following 5 years, after which time there was to be no further Jewish immigration without Arab acquiescence; British Cmd. 6019: *Palestine, Statement of Policy*. For United States interest in this British policy, see *Foreign Relations*, 1939, vol. iv, pp. 732-810.

¹² Not printed; reference is to the signing of an UNRRA multilateral agreement on repatriation of displaced persons scheduled for February 20. At the last minute the French refused to participate, desiring to negotiate a bilateral agreement with the Soviet Union along lines of those between the Soviet Union and the United States and Great Britain. The French believed that their signature on a multilateral document, which would also include that of the Polish Government in London, would prejudice the conclusion of a bilateral arrangement. (840.50 UNRRA/2-2245)

UNRRA hopes that some means to enable France to sign without offending the Russians can be found.

2. A French-Russian agreement would not substantially change UNRRA's role as defined at present in regard to displaced persons; nor would it affect, in UNRRA's opinion, French willingness to sign the multilateral agreement were it not for the Polish issue. Scott, director of displaced persons here, is not therefore particularly disturbed at the prospect of this one agreement.

3. It would not be serious from UNRRA's point of view even if the French approached the US and UK to make arrangements for the French to handle French displaced persons in the French Zone.

4. However the French may approach the US and UK to obtain agreements in respect of their zones similar to the agreement with the USSR. This would seriously undermine UNRRA's position because (1) other countries would request similar treatment leaving UNRRA to deal only with stateless persons and perhaps Poles and (2) because French personnel are needed in UNRRA to enable it to handle the displaced persons problem in Germany.

5. The French case for obtaining similar agreements from the US and UK may be strong but the conclusion of such agreements would destroy the advantages of unified handling of the difficult displaced persons problem which the use of UNRRA for this purpose would provide. A great waste of personnel and considerable difficulties in relation to standards of treatment would result. For example, if all displaced persons in the US zone were covered by bilateral agreements with the US granting them insofar as possible rations equivalent to those of a US private a tremendous supply problem would be created and in addition only moderately active individuals would receive very heavy workers rations.

6. If the developments outlined above should take place the result would be a complete reversal of the position taken by the United Nations at Atlantic City that these problems should be handled jointly by the United Nations.

WINANT

840.50 UNRRA/2-1945

*The Adviser on Refugees and Displaced Persons (Warren) to the
Second Secretary of the British Embassy (Everson)*

WASHINGTON, March 10, 1945.

MY DEAR MR. EVERSON: I have received your letter of February 19 with reference to our earlier discussion on the possibility of securing action by the Council of UNRRA authorizing the Administration to care for and assist in the repatriation of Italian nationals

found in enemy or ex-enemy areas. This proposal is consistent with the general attitude of this Government with respect to the treatment of Italian prisoners of war and displaced persons and I have no doubt that it will meet with the support of the representative of this Government on the Council of UNRRA at its next meeting.

You suggest that in the event of agreement on the proposal in principle the subject be raised in the first instance in the European Technical Sub-committee on Displaced Persons. After full consideration of this suggestion in the Department I find that there is unanimous opinion here that the proposal is one of important policy which should properly be introduced in the first instance at the next meeting of the Council rather than in the Sub-committee for Europe or in the European Technical Sub-committee on Displaced Persons. As you state, action by the Council of UNRRA will be necessary in any event and as a meeting of the Council is already under discussion nothing will be gained in time in presenting the matter to the Sub-committee for Europe. The Council will of course decide at its meeting which committee of the Council should consider the matter in advance of consideration by the Council itself. It is quite possible that the Council will consider the proposal of such importance that it should be dealt with by the Committee on Policy of the Council in the first instance.

Sincerely yours,

GEORGE L. WARREN

840.48 Refugees/3-1645 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 16, 1945—5 p. m.

[Received 8:15 p. m.]

2732. Mason, Head of Refugee Dept of Foreign Office, informed Embassy on March 16 that Foreign Office had orally suggested to Intergovernmental Committee on refugees that it should press other member governments for voluntary contributions for 1945 operational expenditure. The following are the reasons given for this action on the part of the British Government:

The undertaking given by the American and British Governments at the Bermuda meeting ¹³ to underwrite jointly IGC operational expenditure was a temporary measure designed to get relief under way.

¹³ In April, 1943, the British and United States Governments held a conference in Bermuda to examine all possible methods of relieving the distress of those in Europe who were victims of Nazi aggression. For a joint communiqué issued by the participating delegations to the conference, see Department of State *Bulletin*, May 1, 1943, p. 388; for a report of the meeting, see *ibid.*, May 22, 1943, p. 456; for documentation, see *Foreign Relations*, 1943, vol. I, pp. 134 ff.

It should not become a permanent measure nor should it be considered as such. Although IGC requested voluntary contributions last year none was forthcoming except certain contributions in kind, e.g. French permission for some refugees in France to engage in gainful employment. IGC operational expenditure has increased considerably this year with the liberation of Europe and British authorities envisage the possibility that annual operational expenditure may become many times greater in the future because of undertakings such as resettlement. This may eventually require the reorganization of the IGC on a broader basis with respect to source of funds for operational expenditure. The situation today is inequitable and will become worse. This the British cannot afford in view of their exchange position. (Mason intimated that it might be difficult to increase the British share of pounds 2 million for this year.) While Foreign Office believes that little may be obtained from pressing for voluntary contributions this year, such action will put other governments on notice that some change may be necessary and that matters cannot slide along on the basis that the American and British Governments will continue to bear the entire operational expenditure.

Mason wished to make it clear that the British Government is not trying to avoid any obligation undertaken by it and that it is keenly interested in maintaining the IGC in its effective operation.

Foreign Office hopes that the Department will agree to approach the IGC with a view to pressing for voluntary contributions. Foreign Office has requested Embassy to learn Department's views. Please instruct.

WINANT

840.48 Refugees/3-2145 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 24, 1945—6 p. m.

2308. Reference Embassy's 2936, March 21.¹⁴ Harrison ¹⁵ is expected to arrive London evening of March 26 and earnestly hopes you may be able to attend meeting IGC March 27 with him.

Department in full accord with British suggestion contained your 2732 March 16 and agrees that IGC should press other government members for contributions this year.

GREW

¹⁴ Not printed.

¹⁵ Earl G. Harrison, United States representative on the Intergovernmental Committee on Refugees.

The Polish Embassy to the Department of State

General Dwight D. Eisenhower, Supreme Commander, Allied Expeditionary Forces, has given the order that all Poles found in the theatre of operations should be concentrated East of the Rhine.

This measure is undoubtedly taken in view of the future repatriation of these Polish nationals directly to Poland. In normal circumstances it would be fully justified and welcome. However, the following considerations should be taken into account:

1) In accordance with the plans of SHAEF¹⁶ the foreseen repatriation of the Polish civilian population is to take place after the repatriation of the French, Belgian and other populations. This plan is dictated by existing conditions and raises no objections.

2) Post-war conditions of transport in Germany will necessarily prevent repatriation of people from Germany eastwards, at least for several months.

3) Consequently, the Polish population would have to remain inactive in camps in Germany over an indefinite period of time, which cannot fail adversely to affect its morale, especially after all that this population has gone through during its forced stay in Germany. It will likewise place an additional burden on the Allied Military Command as regards supplies.

4) All the Polish people deported by the Germans from Poland should have the right to declare whether or not they want to be repatriated at once. In the existing conditions in Poland it is probable that a considerable percentage of Poles at present in Germany will not wish to be repatriated at once and therefore will not fit into the plan of SHAEF for the repatriation of Polish people.

The above considerations point to the necessity of asking General Eisenhower to modify his decision so as to allow a considerable number of Poles to go West of the Rhine, in order to take up work in various branches of production also in Western Allied countries.

At this stage of the war the enormous problem of German war prisoners and that of civilian populations deported by the Germans from their countries to Germany, makes it all the more necessary to take all possible measures in order to assist the Allied Military Command in handling these problems of unprecedented magnitude. Owing to the considerable number of Poles in Germany and to their specific situation, the problem of this Polish population requires special handling. Placing the Polish population in camps together with Soviet citizens may lead to regrettable incidents and disorder. On the other hand, it is characteristic of the Polish population that it is clamoring to be allowed to work for the common Allied cause. It would undoubtedly serve the Allied cause to take full advantage of this tendency. It may be of considerable importance in contributing

¹⁶ Supreme Headquarters, Allied Expeditionary Force.

to the production of food and other supplies and substantially facilitate the task of the United States, Great Britain and France. The moral aspect of the problem is likewise of considerable importance and cannot be overlooked.

The Polish Government has placed its most competent officers at the disposal of SHAEF in order to facilitate the solution of these problems.

It would be most desirable that all measures contemplated relating to the Poles at present in Germany be discussed with the Polish Government authorities. It would be very helpful for all concerned if Colonel Jan Kaczmarek, appointed head liaison officer to SHAEF and generally recognized as the most competent expert in these matters, should now be called to SHAEF without delay.

WASHINGTON, April 3, 1945.

800.4016 DP/4-1045

*The Estonian Acting Consul General in Charge of the Legation
(Kaiv) to the Secretary of State*

No. 27

NEW YORK, April 10, 1945.

SIR: During the occupation of Estonia by German forces many Estonian nationals were forced by devious means into the German army or labor services.

In addition to these a considerable number of civilians were transferred to Germany before the reoccupation of Estonia by the USSR last autumn. The total number of Estonian nationals at present in Germany is estimated at roughly 100,000, and they are believed to be widely dispersed all over Germany, including such parts of German territory which are already or may shortly come under the military control of the Western Democracies.

I consider it my duty to bring these circumstances to the notice of the Government of the United States of America, and to solicit its kind protection for these Estonian nationals whenever required.

In particular, I have the honor to appeal to the United States' Government to prevent, while the Soviet occupation of Estonia lasts, the repatriation against his or her wish of any Estonian citizen found in the territory where American military control has been or will be established. I also respectfully request that no such an Estonian be turned over to the Soviet army or placed under the jurisdiction of any other Soviet authorities. Estonia is at present under the complete political and military control of the USSR and there is no national or international authority capable of averting possible political persecution of Estonian citizens.

Accept [etc.]

JOHANNES KAIIV

840.48 Refugees/4-1745

The Adviser, War Areas Economic Division (Gilpatric), and the Adviser on Refugees and Displaced Persons (Warren) to the Assistant Secretary of State (Acheson)

[WASHINGTON.] April 17, 1945.

1. At the Anglo-American Conference on Refugees in Bermuda in April 1943, the British and United States Governments agreed that operational expenses of the IGC would be jointly underwritten until such time as the needs of refugees in Europe could be clarified and a master budget submitted to all the member governments for contributions. The British Government has already agreed to contribute \$4,010,000 at this time.

2. Stateless and non-repatriable persons were clearly established as the responsibility of the Intergovernmental Committee on Refugees by the action of the member governments thereof, before the organization of UNRRA. Consequently in adopting its basic resolutions at Atlantic City, UNRRA assumed the functions of caring for and repatriating those who can be repatriated. Anticipating a situation however in post-war Europe in which UNRRA might find non-repatriables in desperate need in the areas served, it was provided that UNRRA might care for non-repatriables for a temporary period until the IGC could assume its recognized responsibility for them.

3. Under UNRRA resolutions the Administration can only assist the so-called non-paying governments which request its assistance. It is the adopted policy of this government to support this policy of UNRRA as established by the resolutions in view of the limited funds available to UNRRA in comparison with the vast needs which must be met. The United States Government cannot request the western European Governments to ask UNRRA assistance. To do so would constitute a reversal of the foregoing policy and would have the effect of relieving this Government of an obligation assumed jointly with the British Government prior to the organization of UNRRA.

4. Most of the non-repatriables are now in the territories of the western European Governments, the paying governments, and will later be found in Germany. The paying governments have not requested UNRRA to provide assistance within their territories. They have requested UNRRA to assist the military authorities in the repatriation of their nationals and former residents from Germany.

5. Since UNRRA will conduct no substantial operations in western Europe and since there is need for assistance to stateless persons in this area, it seems essential that the IGC be given funds promptly to begin to assist such persons as fall within its mandate. This plan is administratively practicable and the IGC would from the beginning concern itself with non-repatriables until their resettlement.

6. In the EAC¹⁷ directive on displaced persons, approved by the State, War and Navy Departments,¹⁸ it is provided that the EAC shall determine the manner in which both UNRRA and the IGC are to assist the occupying powers in caring for all categories of displaced persons in Germany. SHAEF has already invited the IGC to provide a Liaison Officer at SHAEF headquarters to plan the implementation of its responsibilities during the period of hostilities.

7. Your approval of the foregoing argument is requested.¹⁹

800.4016 DP/4-3045

The Italian Embassy to the Department of State

MEMORANDUM

Since the beginning of 1944 the Italian Government, for reasons of humanity and justice, has repeatedly recommended to the Allied Commission the return to Lybia of Italian refugees who are living in Italy under distressing conditions, separated from their families and their possessions. They number about 12,000 persons; among them are children whose parents live in Lybia and who were sent to the summer colonies of Rimini, Riccione and Cattolica. When these places, at present occupied by the Allied forces, were endangered because of air attacks, they were removed elsewhere and are now living on public charity.

The Allied Commission realizing the humanitarian reasons which prompted the Italian request concerning the aforesaid people has given its consent, in principle, but has pointed out that in view of difficulties of transport and supplies "their return for the time being was to be limited to particular cases to be examined individually".

On the other hand, the Allied Commission has informed having already authorized the return to Lybia of a group of Greek and Maltese refugees who had previous residence there, and it has confirmed what was already known to the Italian Government, namely, that the summer colonies at Rimini, Riccione and Cattolica were in fact used by the Allied troops, after the removal of the children.

¹⁷ European Advisory Commission, set up by the Moscow Conference of the Foreign Ministers of the Soviet Union, United Kingdom, and United States (October 18–November 1, 1943) for the purpose of examining questions arising as the European war developed and to make joint recommendations to the three Governments; for documentation on U.S. participation in the European Advisory Commission, see vol. III, pp. 1 ff.

¹⁸ EAC Directive (45)39 was approved by the State-War-Navy Coordinating Committee on March 26, 1945; for text, see section III of annex to memorandum by the State-War-Navy Coordinating Committee, March 24, 1945, *ibid.*, p. 474. The directive was circulated on April 17, 1945.

¹⁹ In a letter to the Bureau of the Budget, April 21, 1945, Mr. Acheson expressed his approval of the above outlined statements (840.48 Refugees/4-1745).

Recently, on March 15th, the Italian Ministry for Foreign Affairs has appealed to Admiral Stone²⁰ asking that an end be put to the tragic situation of these refugees and of the children separated from their parents who have not at present any shelter whatsoever, by authorizing a collective repatriation.

This Embassy begs to draw the attention of the Department of State on this matter and will appreciate any action taken with regard thereto, so that Admiral Stone's plan will be carried out.²¹ In this connection the Embassy points out:

First: that the method of individual repatriation is more difficult to organize than the collective one;

Second: that the Italian High Commissioner for Refugees would be willing to examine jointly with the Allied Authorities the possibility of utilizing for the purpose some of the naval transport means at its disposal;

Third: the matter concerns, in the majority of the cases, Italian farmers or their relatives who have in Lybia means for their self-support and who contribute with their work to farm production for the benefit of the Lybian population.

WASHINGTON, April 30, 1945.

800.4016 DP/5-345 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, May 3, 1945—11 p. m.
[Received May 4—11:14 a. m.]

2327. From Murphy. Reurtel 1729 of April 27, 7 p. m.²² Basic current policy governing treatment of displaced persons in Germany is contained in SHAEF administrative memorandum No. 39, revised April 16, 1945, sent to Department in Mission's restricted despatch No. 290 of April 25.²² Pertinent sections relative to Italian nationals are summarized or quoted below.

Paragraph 32 provides that enemy and ex-enemy nationals persecuted because of race, religion, or activities in favor of the United Nations will be accorded the same assistance granted to United Nations nationals after security screening. Non-German nationals in this category will be repatriated in the same manner as United Nations

²⁰ Adm. Ellery Stone, Chief Commissioner, Allied Control Commission for Italy.

²¹ A memorandum of June 21, 1945, in reply to this memorandum stated: "The Department has every sympathy for the natural desires of displaced persons to return to their homes at the earliest possible moment. However, it is realized that the military authorities who have responsibility for repatriation must for reasons of military necessity and convenience have full freedom as to the timing of movements of particular groups of displaced persons." (800.4016 D.P./4-3045)

²² Not printed.

displaced persons and non-repatriables will be assimilated in status to stateless persons.

Paragraph 34 states that non-German nationals who have served or collaborated with the enemy will, prior to defeat or surrender, but [be] treated as displaced persons provided they are not held as prisoners of war or civilian detainees. After defeat or surrender, those discharged or released by the demobilizing authorities will be dealt with as displaced persons while stragglers, deserters, self-demobilized personnel, and those informally discharged from enemy military or para-military organizations will be detained and reported and later transferred to the appropriate Allied demobilization authority.

Paragraph 35 provides that "Nationals of Italy, Finland, Rumania, Bulgaria, and Hungary fall into four categories and will be dealt with as follows: (a) those captured by the Allies while fighting under Axis command or collaborating with the enemy—are a responsibility of G-1; ²³ (b) those captured by the enemy while fighting under Allied command, and uncovered by Allied military forces—are a responsibility of G-1; (c) displaced persons—are a responsibility of DPX ²⁴ and will be treated as ex-enemy displaced persons except as in paragraph 32 above; (d) military internees, i.e. members of ex-enemy armed forces, disarmed and interned by the enemy when their Governments surrendered to the Allies—when found in organized camps, will initially be a responsibility of G-1 until their status as military internees has been determined. They will then be handed over to DPX and dealt with as ex-enemy displaced persons, except as in paragraph 32 above."

Responsibility of military commanders and of German authorities towards enemy and ex-enemy displaced persons and refugees as outlined in paragraph 37. Military commanders will supervise and direct German authorities in these matters and will (1) segregate enemy and ex-enemy displaced persons and refugees from United Nations displaced persons, (2) screen for security control, interning or otherwise curtailing those whose freedom of movement would be dangerous, (3) supervise German authorities in controlling these persons, making minimum provision to prevent unrest and the spread of disease, and in registration, and (4) arrange through DPX channels for repatriation when it is in the interest of military government. German authorities will provide as necessary for people in this category, providing and paying for all goods, facilities, and services required for them, set up assembly and reception centers as directed, disseminate standfast orders as instructed, and take all other necessary measures as directed by military commanders.

²³ G-1 (Personnel) SHAEF.

²⁴ Displaced Persons Executive.

SHAEF has been advised of assimilation of Italian nationals to status of United Nations nationals in pending EAC directive dealing with displaced persons, but states policy outlined above will perforce prevail until British concurrence in this proposed status is forthcoming. The above administrative memorandum was cleared with the British political officer ²⁵ and myself but prior to receipt of information in Department's telegram under reference. [Murphy.]

CAFFERY

800.4016 DP/4-1045

*The Acting Secretary of State to the Estonian Acting Consul
General in Charge of the Legation (Kaiv)*

WASHINGTON, May 5, 1945.

SIR: I acknowledge the receipt of your note of April 10, 1945 (No. 27) asking the United States Government to prevent the repatriation against his or her wish of any Estonian citizen found in the territory where American military control has been or will be established and that no such an Estonian be turned over to the Soviet Army or placed under the jurisdiction of any other Soviet authorities.

With respect to the foregoing requests, it may be stated for the information of the Legation that in principle it is contrary to the policy of this Government to arrange for the involuntary repatriation of persons who, as a result of events in Europe have had to leave their countries of residence because of the danger to their lives or liberties on account of their race, religion or political beliefs.²⁶

Accept [etc.]

For the Acting Secretary of State:
WILLIAM PHILLIPS

800.4016 DP/5-945 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, May 9, 1945—9 p. m.
[Received May 10—3:47 a. m.]

2492. From Murphy. G-5 ²⁷ SHAEF, proposes to instruct army groups and communications zone substantially as follows regarding movement of displaced persons:

²⁵ Alfred Duff Cooper, British Ambassador in France.

²⁶ Paragraph 33 of SHAEF Administrative Memorandum No. 39 (Revised April 16, 1945) provided that Estonians, Latvians, and Lithuanians who could not be or who did not desire to be repatriated were to be treated as assimilated United Nations displaced persons.

In a note dated July 6 in reply to a further Estonian note of June 22 regarding Estonians in German territory about to be evacuated by United States forces, the Department of State indicated that the policy of the United States "on this matter as outlined in the Department's note of May 5, 1945 continues in effect". (740.00119 Control (Germany)/6-2245)

²⁷ Civil Affairs Division.

Steps will be taken to transfer to Germany displaced persons other than Belgians, French, Dutch and Luxemburgers who were previously evacuated into Allied countries from Germany because of operational necessities.

Germans so evacuated will be returned to Germany preferably to the districts from which they were evacuated. Eastern European displaced persons will be moved as far eastward as military operations permit but, except for Soviet citizens, not into Russian zone of occupation now occupied by Allied forces.²⁸ Instruction mentions that United States and British Governments up to present time have not formally recognized any territorial changes resulting from the war. Instruction continues that Latvians, Estonians, Lithuanians, and Poles whose homes are east of 1939 line of demarcation²⁹ or Curzon Line³⁰ will not be repatriated to Soviet Union, returned to their district of former residence or transferred to Russian zone in Germany unless they claim Soviet citizenship affirmatively.

Instruction will state that special arrangements will be made for Polish laborers, particularly miners, who are to be sought by AEF³¹ officials as voluntary labor for Belgian industry.

Above instruction is considered to answer request of French to General Eisenhower that central and eastern Europeans not be moved westward from Germany and Switzerland into France. [Murphy.]

CAFFERY

800.4016 DP/5-1445

The Polish Embassy to the Department of State

The Polish Government in London has learned that, in the course of the final adjustment of zones of occupation of Germany, the Soviet forces are to occupy in the nearest future parts of Thuringia and some other territories along the River Elbe at the present time still held by American forces.

²⁸ On February 11, 1945, at Yalta, representatives of the United States and the Soviet Union concluded an Agreement Relating to Prisoners of War and Civilians Liberated by Forces Operating Under Soviet Command and Forces Operating Under United States Command; for text of agreement, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, p. 985. For an official American interpretation of that agreement and the basic statements of American policy on the repatriation of Soviet citizens, see the memoranda of the State-War-Navy Coordinating Committee of March 9 and December 21, 1945, vol. v, pp. 1075 and 1108, respectively. For additional documentation regarding the arrangements relative to the treatment and reciprocal repatriation of American and Soviet prisoners of war and interned civilians liberated by Allied forces, see *ibid.*, pp. 1067 ff.

²⁹ See Supplementary Protocol between Germany and the Soviet Union signed in Moscow, October 4, 1939, *Documents on German Foreign Policy*, series I, vol. VIII, p. 208.

³⁰ In regard to the origin of the Curzon Line, and for a description of it, see *Foreign Relations*, The Paris Peace Conference, 1919, vol. XIII, pp. 793-794.

³¹ Allied Expeditionary Force.

According to approximate estimates there are in the said zone between 100,000 to 200,000 Polish citizens forcibly deported there from Poland by the Germans.

In view of the present situation in Poland under Soviet occupation, the overwhelming majority of this contingent of Polish citizens does not wish to be repatriated to Poland. If they were taken over by the Soviet forces they would undoubtedly be forcibly repatriated to Poland or even deported to Russia against their will.

Considering the danger to which these people would be exposed, the Ambassador has the honor to call the urgent attention of the competent U. S. Military Authorities to this matter and to request that these Polish citizens, at present in Thuringia and along the River Elbe, be transferred westwards to territories which will remain in the American zone of occupation, before the territories above mentioned are handed over to the Soviet forces.

WASHINGTON, May 14, 1945.

840.50 UNRRA/5-1645

The Counselor of the British Embassy (Marris) to the Assistant Secretary of State (Acheson)

WASHINGTON, May 16, 1945.

MY DEAR DEAN: I seem to be kept pretty busy in my capacity as post office to you from Dick Law.³²

I have just received a message from him for you about displaced persons which I attach to this note.³³ It is self-explanatory.

I might add that, at the same time, I have had a personal telegram from Dick Law saying that he has discussed with Jackson³⁴ the question of UNRRA's relations with the military authorities about displaced persons in Germany. Jackson thinks it is essential that his hands should be strengthened by some statement by the United States and United Kingdom Governments that they regard it as a major interest of the two Governments that UNRRA should have the responsibility, under the ultimate control of the military authorities in Germany, for handling displaced persons in that part of the country within their mandate and that UNRRA should, therefore, receive the full support of and the facilities from the military which they will undoubtedly need. Dick Law fully endorses Jackson's view and, as he states in his message to you, the Secretary of State

³² Richard Law, British Minister of State.

³³ Not printed; the message expresses concern over the inability of UNRRA to provide on time the number of teams requested by SHAEF for displaced persons work in Germany (840.50 UNRRA/5-1645).

³⁴ Cmdr. R. G. A. Jackson, Senior Deputy Director General, UNRRA.

for War³⁵ has sent instructions to the British representatives of the Combined Chiefs of Staff, asking them to try and get appropriate and immediate instructions issued by the Combined Chiefs of Staff to SCAEF.^{35a}

I am instructed accordingly to take every step I can to ensure that the matter receives the speediest and most favourable consideration.

I shall, of course, discuss the matter with Macready³⁶ and, if necessary, with Jack McCloy,³⁷ but before doing the latter I would be grateful if you would let me know what your views are.

Yours sincerely,

ADAM D. MARRIS

840.50 UNRRA/5-1945

The Acting Secretary of State to the Ambassador in Italy (Kirk)

WASHINGTON, May 19, 1945—3 p. m.

851. UNRRA from Lehman.³⁸ Not clear whether following cable #B/122 received from Belgrade 11 May was repeated to you:

"1. Your Memo 6 April³⁹ received.

2. Problem complicated as UNRRA aid to displaced persons hitherto not envisaged by us as aid for political refugees from States members of United Nations and UNRRA Council.

3. If precedent UNRRA support for these Yugoslavs accepted it logically involves UNRRA support for many further thousand Yugoslavs now in Germany but opposed to present regime and for political refugees other members United Nations including hundreds thousand Poles unwilling return Poland.

4. Further difficulty is that acceptance by UNRRA of responsibility these Yugoslavs against wishes Yugoslav Government will lead not only to violent conflict between Yugoslav authorities and UNRRA with most adverse effect on work UNRRA Yugoslav Mission but Yugoslav attitude will certainly find support with number other council members with consequent serious split in council.

5. After detailed discussion with American and British Embassies Belgrade consider decisions should be postponed and Yugoslavs held provisionally in Italy in camps under military or AC⁴⁰ control. Advantage this postponement is that it gives time for consideration on high level between major powers of general questions of

(a) Handing over to United Nations Government of their nationals accused by them of war crimes.

(b) General disposal political refugees of United Nations nationality.

³⁵ Sir James Grigg.

^{35a} Supreme Commander, Allied Expeditionary Force.

³⁶ Lt. Gen. G. N. Macready, Head of the Army Delegation, British Joint Staff Mission in Washington.

³⁷ John J. McCloy, Assistant Secretary of War.

³⁸ Herbert H. Lehman, Director General of UNRRA.

³⁹ Not printed.

⁴⁰ Allied Commission.

6. Suggest in any case general policy should be threshed out at next UNRRA Council.⁴¹

7. Have deferred discussion on above with Yugoslav Ministry Foreign Affairs pending your reply."

Exploring with State Department and British Embassy possibility US and UK governments will direct AC or military to care for Yugoslav nationals Italy temporarily as suggested paragraph 5 above to defer issue for possible consideration Council meeting. [Lehman.]

GREW

800.4016 DP/5-2245 : Telegram

The Acting Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, May 22, 1945—3 p. m.

2236. The presence of large numbers of Polish citizens, roughly estimated about one hundred thousand, in the area now occupied by the American armies in Germany is causing the Army authorities great concern. The question has arisen whether they should be returned to Poland or allowed to move through our lines in a westerly direction into our definitive zone of occupation and eventually further westward. Probably large numbers of them would prefer the latter course rather than to be left in the Russian area or sent back to Poland. The problem was discussed with Bidault in his conversations here⁴² and he was asked whether the French could make any use of these Poles. It had been suggested that some of them at least might be of use on a voluntary basis in working the coal mines in the Saar which were now nearly at a standstill on account of lack of labor. Bidault did not express any definite views although he thought that some might be permitted to enter France.

Please endeavor to ascertain urgently whether the French Government would be prepared to accept a certain number of these Poles and how many might be permitted to enter French territory or the eventual French zone in Germany. You may wish to consult SHAEF in this connection.

The matter is of the utmost urgency as instructions are about to be sent to SHAEF regarding the movement of the United States armies.

GREW

⁴¹ At the London session of the UNRRA Council, August 7-24, 1945, Resolution 71 on Displaced Persons was passed. For text of resolution and summary of action, see Woodbridge, *UNRRA*, vol. III, p. 142, and vol. II, pp. 486-487.

⁴² Georges Bidault, French Minister for Foreign Affairs. Bidault stopped in Washington in mid-May en route home from the United Nations Conference on International Organization which was held in San Francisco April 25-June 26.

840.50 UNRRA/5-1845: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 23, 1945—7 p. m.

4079. For the Ambassador from Acheson. I have received through the Embassy here a message from Law⁴³ expressing concern as to UNRRA's relations with SHAEF on displaced persons, and its failure to provide the teams and equipment necessary for this work. I have also seen your 4992, May 18, 1945.⁴⁴ Law suggests that I should join with him in urging the Combined Chiefs of Staff to instruct SHAEF to give every cooperation and facility to UNRRA. I am somewhat in doubt as to exactly what Law has in mind since UNRRA at this stage can obviously not do as effective a job on displaced persons as SHAEF is performing, particularly with respect to repatriation of Western European nationals. Please deliver the following message from me to Law, and I would be glad to have any comments or recommendations which you may wish to make in connection with his response:⁴⁵

"I have your message of May 15 which I received through the courtesy of Marris in the Embassy here. I share your concern at UNRRA's failure to provide on time a sufficient number of teams and equipment as requested by SHAEF for displaced persons work in Germany, and will impress upon UNRRA in Washington the importance of taking every possible step to correct this situation. We continue to recognize UNRRA as having responsibility for handling United Nations displaced persons in Germany, and believe that UNRRA should receive the full support and facilities of SHAEF in that connection. It seems to me, however, that SHAEF's present remarkable progress in repatriating Western European nationals could not be matched by any civilian organization, and that UNRRA's assumption of responsibility will be considerably facilitated if SHAEF succeeds in moving out large numbers of the immediate repatriable in the near future. I am also impressed by the shortage of military food stocks to feed displaced persons and hesitate to burden UNRRA with criticism in this connection for which it is not responsible.

"The UNRRA agreement with SCAEF provides for UNRRA's protection as the agency responsible for handling displaced persons in the SHAEF zones of Germany, and I am not entirely sure what additional instruction the Combined Chiefs of Staff could give to SCAEF except possibly to expedite release of equipment for the UNRRA teams and to assist their entry into Germany, and subse-

⁴³ Not printed, but see letter from the Counselor of the British Embassy, May 16, p. 1162.

⁴⁴ Not printed.

⁴⁵ The message was sent at the recommendation of Donald S. Gilpatric, Adviser, War Areas Economic Division.

quent operation there, in every way possible. We have already joined with the British Embassy here in a cable to SCAEF through the Combined Civil Affairs Committee urging the former to extend every facility to Jackson during his forthcoming visit to Supreme Headquarters. Lehman is also being asked to appear at the next CCAC⁴⁷ meeting to discuss UNRRA's readiness to assume responsibilities for displaced persons in Germany. If you have any additional suggestions for instructions to SHAEF by CCS⁴⁸ in this matter, I should be glad to receive them."

[Acheson]

GREW

840.50 UNRRA/5-2445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 24, 1945—9 p. m.

[Received May 25—3:55 a. m.]

5223. ReEmbs 4993, May 18.⁴⁹ There was considerable discussion at the Paris meeting of the Displaced Persons Subcommittee of UNRRA about the desirability of UNRRA seeking to renegotiate its agreement with SHAEF in order to obtain a more independent position in the handling of displaced persons in Germany. In particular, the members of the subcommittee are concerned that UNRRA appears to them to have no voice in the formation and execution of policy but merely to furnish the military with field teams.

At a meeting of the committee Tues Rendel⁵⁰ (UK) presented a resolution criticising UNRRA for not playing a more important part in handling the displaced persons problem and calling for a new agreement with the military authorities enabling UNRRA to fulfill more adequately "the true purposes contemplated in the UNRRA agreement and the subsequent resolutions of the UNRRA Council." This resolution will be discussed at a meeting on Fri May 25.

Whether UNRRA should seek to obtain a new agreement with SHAEF or with the appropriate military authorities succeeding SHAEF is largely dependent in our opinion on (a) how long it will take to complete the repatriation of the bulk of the Allied displaced persons in western Germany with whom UNRRA is concerned; and (b) whether UNRRA is to play a significant role in the maintenance or resettlement of the remaining non-repatriable displaced persons.

In regard to (a) the best evidence we have is that the job will be done within 4 to 5 months at the outside and probably sooner. If

⁴⁷ Combined Civil Affairs Committee.

⁴⁸ Combined Chiefs of Staff (American and British).

⁴⁹ Not printed.

⁵⁰ Sir George William Rendel, British Representative on the European Regional Commission of UNRRA.

this is the case, it may not be desirable for UNRRA to seek a new agreement since new arrangements under such an agreement could not become effective before the need for UNRRA's services in handling the repatriation problem disappeared. It may nonetheless be desirable for UNRRA to seek a closer relationship with SHAEF or its successors in the formation and execution of repatriation policy under paragraph (a) of the existing agreement and to work out a more detailed future program. It is not true, as is stated in the resolution, that UNRRA has played no part other than recruiting of field teams for the military. Our information is that a close collaboration has existed in the formation and execution of policy and we will ask at the meeting of the subcommittee for a report from UNRRA.

If, however, UNRRA is to deal with the non-repatriables, even if only to maintain them for a significant period of time after the mass repatriation period is ended, a new status for UNRRA in relation to the occupying authorities becomes necessary. The UK resolution calls for a clarification of the "ultimate and wider aims to which UNRRA's efforts should be directed". This in effect means how far will UNRRA deal with ex-enemy nationals, with stateless persons and other non-repatriables. It is true that a more precise definition of UNRRA's functions in this respect is required.

The resettlement of displaced persons for whom repatriation is not possible can be handled (1) entirely by giving the necessary authority to the displaced persons section of UNRRA suitably financed and probably continuing in a modified form after UNRRA itself goes out of existence or (2) by the Inter-Governmental Committee appropriately organized and financed or by a new international agency; or (3) by UNRRA in collaboration with the Inter-Governmental Committee or whatever long term resettlement agency is set up. This question should probably come up at the Council meeting in July but it is doubtful whether consideration of the question of revising the agreement with SHAEF or its successors should be delayed until that time if (1) or (3) (which is the arrangement at present) is ultimately adopted.

These alternatives require careful analysis—each has serious disadvantages—but it is desirable that the present uncertainty be resolved as soon as possible. We will propose that the matter should be brought to the attention of the CCE ⁵¹ and of the several Govts.

It is difficult to determine what Rendel has in mind regarding the "true purposes contemplated" in the UNRRA agreement and subsequently by the Council but it is clear that the situation today is different from the situation envisaged at Atlantic City in three important respects: (1) the military have taken over the responsibility for

⁵¹ Committee of the Council for Europe.

repatriation; (2) repatriation is proceeding at an extremely rapid rate; (3) UNRRA is not to work in eastern Germany. UNRRA has not in fact played the role contemplated at Atlantic City and it is useless now to argue whether it would have been possible or wise in the light of the recent events in Germany to have given it that role.

The Govt representatives on the displaced persons committee could be most useful now if they would point out specific problems that have come to their attention which UNRRA should explain to them or take up with the military. The vague generalities about lack of coordination of voluntary societies, of teams, and of SHAEF personnel; the general allegations that personnel are of poor quality and that camps are badly run are not particularly useful, especially since VE-Day⁵² was only two weeks ago. We will press that representatives for their part take up specific grievances with UNRRA and that UNRRA for its part make as precise and full reports and explanations as possible.

Commander Jackson has just returned from Paris where he discussed with the military authorities the future role of UNRRA in handling displaced persons in Germany. He is convinced that the military do not want to handle the displaced persons any more than is necessary and very much want UNRRA to take a significantly more important and responsible part. In Jackson's opinion, UNRRA's ability to do this is entirely dependent on the extent to which the Brit and Amer Govts are prepared to see that the top leadership of the ERO⁵³ is strengthened. If these Govts do not make really first rate men available immediately the organization cannot take over the tasks the Allies and the military are pressing it to take over.

He considers that the second line and lower personnel are good but the higher direction (below Gov Lehman) lack stature, efficiency and drive. They have been content, for example, to approach the military at too low a level and to accept in general the role of poor relation.

Jackson said that unless the necessary Govt support is forthcoming, UNRRA will "crack wide open" and if it does "UNRRA will get in first". By this he presumably meant that UNRRA will make clear to the world the reasons for its failure. The US and UK, particularly the US, took the lead in setting up the organization and the US must take a large share of the responsibility for its fate. He considers the criticisms in the May 14 issue of *Time* to be sound. Jackson is preparing a note on this subject which he will take up with the Amb and we will inform you more fully on the position in the immediate future.

WINANT

⁵² Victory-in-Europe Day.

⁵³ European Regional Office.

840.48 Refugees/5-3045 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 30, 1945—5 p. m.
[Received May 30—3:45 p. m.]

5424. For Dept, WRB and Earl Harrison. In connection with items 1 and 2 of agenda of twelfth meeting of Executive Committee which deal with proposed operational expenditure by Intergovernmental Committee on Refugees in France, Belgium and Iberian Peninsula, FonOff official stated today that Lord Winterton, Brit Rep on IGC, has been instructed notify Committee tomorrow along following lines:

Brit Govt has given its approval to this proposed operational expenditure. However, Brit Ministers are examining possibility of approaching UNRRA with view to latter's taking over maintenance work and other similar work which IGC at present carrying on. Ministers considering possibility that until nonrepatriability of refugees is definitely established (Embtel 5353, May 28⁵⁴), such work may more properly come within purview of UNRRA and that there should not be two organizations, UNRRA and IGC, the work of which overlap.

WINANT

800.4016 DP/6-645

*The Assistant Secretary of War (McCloy) to Mr. William Phillips,
Special Assistant to the Secretary of State*

WASHINGTON, 6 June, 1945.

DEAR MR. AMBASSADOR: In response to the cable which we sent to SHAEF⁵⁵ concerning SHAEF policy on the return of displaced persons to the USSR, and the possibility of using Poles in connection with the zone occupied by U.S. Forces, we have received a reply from the Theater stating:

a. That displaced persons will be returned to the USSR if they claim to be Soviet citizens and their claim is accepted by the Soviet repatriation representative.^{55a}

b. Eastern Europeans, other than Soviet citizens, whose districts of origin may become a part of the USSR as a result of territorial changes will not be returned to their districts of origin unless they so desire.

⁵⁴ Not printed: it reported that the British believed that every effort should be made to repatriate refugees in order that the responsibilities of IGC could be cut, and that strict tests as to the nonrepatriability of refugees should be applied (840.48 Ref/5-2845).

⁵⁵ Not printed.

^{55a} Regarding the United States policy relative to the repatriation of Soviet citizens, see footnote 28, p. 1161.

c. Instructions have been given to the Army groups to evacuate United Nations displaced persons, other than Soviet citizens, as far as possible, from that part of the Soviet Zone now occupied by Allied Expeditionary Forces.

d. Everything possible is being done to implement the gainful employment and activities desired by the military forces of Polish displaced persons and prisoners of war.

e. Preliminary estimates of the need for work in connection with the zone occupied by U.S. Forces indicate a minimum of 50,000 Poles may be usefully employed. An officer from SHAEF Headquarters is at present in the field completing his estimate of the actual number which may be gainfully employed and the uses to which this labor may be put. He has been designated as the AEF Coordinating Officer at the Supreme Headquarters charged with facilitating the employment of Polish personnel.

I trust that this will be of assistance in your discussions with the French and Polish representatives. If there is any additional information which you desire, I will be glad to be of any assistance possible.

Sincerely,

J. J. McCLOY

840.50 UNRRA/6-1145

The Director General, United Nations Relief and Rehabilitation Administration (Lehman) to the Assistant Secretary of State (Acheson)

WASHINGTON, June 11, 1945.

DEAR MR. ACHESON: You have asked me for a statement of the relative responsibilities of UNRRA and the Intergovernmental Committee on Refugees with respect to assistance to displaced persons.

UNRRA has been authorized to carry out operations for the care and repatriation or return of displaced United Nations nationals and stateless persons, wherever found. It has also been authorized to carry out operations, both in liberated and in enemy or ex-enemy territory, for the care and repatriation or return of persons of other than United Nations nationality who have been obliged to leave their country or place of origin or former residence or who have been deported by action of the enemy, because of race, religion or activities in favor of the United Nations.

In accordance with the basic purposes of UNRRA, it is authorized to assist, as displaced persons, only persons who have been displaced by the present war. Refugees, forced into exile at the end of World War I or in the period between the two world wars, do not come within the scope of this authority if they have not been again displaced by the present war. Such persons must remain the responsibility of the IGC.

Of the persons whom UNRRA is authorized to help, there may be many who cannot or, for sound reasons, do not wish to be repatriated or returned to their former homes. It is not a part of UNRRA's functions to find new homes for such persons. That is the responsibility of the IGC. However, since such persons will originally be found among the repatriable displaced persons, UNRRA has undertaken to care for them for a reasonable period until the IGC is able to assume its responsibility for them. Tentatively, the "reasonable period" has been defined as six months. UNRRA's practice is to notify the IGC when it has identified certain displaced persons as non-repatriable. It then expects IGC to prepare to accept these persons at the end of six months after such notice.

Sincerely yours,

HERBERT H. LEHMAN

800.4016 DP/6-1445 : Telegram

*The Acting Secretary of State to the United States Political Adviser
for Italy (Kirk)*

WASHINGTON, June 14, 1945—4 p. m.

11. For Erhardt.⁵⁶ Urtel 1877 May 3.⁵⁷ Acting on approval of Brit and US Govts CCAC has directed SHAEF that displaced Italian nationals are to be assimilated in assembly and care to United Nations displaced persons and that they are to be repatriated as rapidly as requirements for maintenance of forces of occupation and arrangements with Italian Govt permit. Preference in repatriation however is to be given to United Nations displaced persons and persons freed from concentration camps or other places of internment or detention.

GREW

800.4016 DP/6-1645 : Telegram

The Acting Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, June 16, 1945—4 p. m.

2791. For Murphy. Press telegrams received here recently report a campaign launched by the Warsaw Government alleging that British, and by inference American, authorities are refusing to permit Poles in western Europe who desire to return to Poland to return. All indications here point to rising tempo of this campaign. It is possible that this campaign has already come to your attention. Kindly consult SHAEF to ensure that those Poles who may desire to return to Poland immediately are permitted to do so.

GREW

⁵⁶ John George Erhardt, assigned to the staff of the Commanding General, U.S. Army Forces, Mediterranean Theater.

⁵⁷ Not printed.

800.4016 DP/4-345

*Memorandum by the Adviser on Refugees and Displaced Persons
(Warren)*

[WASHINGTON,] June 25, 1945.

The original of the underlying memorandum of the Polish Embassy of April 3, 1945⁵⁸ was submitted to Admiral Leahy.⁵⁹ The underlying copy was given to Ambassador Lane⁶⁰ for the information of the Department.

The matters presented in the Polish memorandum were considered by the Combined Civil Affairs Committee after a paraphrase of the memorandum had been sent to SHAEF and a reply from SHAEF received (CCAC 187/1 30 May 1945). The reply from SHAEF was to the effect that all United Nations displaced persons awaiting repatriation would as far as possible be given opportunity to engage in paid employment, if they so desired, that SHAEF had under consideration the possibility of recruiting Poles for such employment, that SHAEF would give full consideration to any proposal by Allied Governments to Poles volunteering to work, that it is the present interim policy of SHAEF that Polish displaced persons be not forcibly repatriated against their will and further that whenever possible Polish citizens are maintained in special camps and that it is not considered advisable at this time to have a chief liaison officer from the London Polish Government working at SHAEF.

Drafts of communications to the State Department and the British Foreign Office transmitting the foregoing SHAEF reply to the Polish memorandum were cleared by the State and War Departments but have to date not been cleared by the British Government. In view of the recent political developments, the Civil Affairs Division of the War Department has expressed the opinion that it is unlikely that British concurrence in the communications will be received. In the meantime Mr. Durbrow⁶¹ has had many informal conversations with Mr. Ciechanowski⁶² in which he has discreetly reassured Mr. Ciechanowski on United States policy with respect to the matters presented. Mr. Durbrow agrees that under all the circumstances the memorandum should be filed.

GEORGE L. WARREN

⁵⁸ *Ante*, p. 1154.

⁵⁹ Adm. William D. Leahy, Chief of Staff to the Commander in Chief of the Army and Navy.

⁶⁰ Arthur Bliss Lane, Ambassador in Poland.

⁶¹ Elbridge Durbrow, Chief of the Division of Eastern European Affairs.

⁶² Jan Ciechanowski, Polish Ambassador.

800.4016 DP/6-2645 : Telegram

*The United States Political Adviser for Germany (Murphy) to the
Secretary of State*

HOECHST, June 26, 1945—3 p. m.

[Received June 27—1 a. m.]

56. Reference Dept's 2791, June 16, 4 p. m. SHAEF states that its policy with respect to the repatriation of United Nations displaced persons is that they will be repatriated, returned to their districts of former residence or moved to a country of their choice subject only to their own wish and their acceptance by the country for which they opt. All SHAEF instructions have followed this policy and have been carefully worded to make it clear that the individual's choice is to be consulted in all cases except Soviet citizens, who are covered by the Yalta Agreement.⁶³

Provision was made in the Halle Agreement of May 22, 1945⁶⁴ for the reception by AEF authorities of "all former prisoners of war and citizens of Allied nations liberated by the Red Army" on the one hand and on the other hand the reception by Red Army authorities of "all former prisoners of war and citizens of the USSR liberated by the Allied forces". Accordingly there is no way except by [garbled group] under which SHAEF can effect the repatriation of Poles unless local Red Army commanders are willing to accept them at the reception points established under the Halle Agreement. In order to regularize this situation SHAEF is now asking the Soviet authorities whether they will agree to accept Poles and other east bound Europeans to their countries.

Department will be informed of developments.

Repeated to Moscow as No. 5.

MURPHY

⁶³ Agreement Relating to Prisoners of War and Civilians Liberated by Forces Operating under Soviet Command and Forces Operating under United States of America Command, signed at the Crimea, February 11, 1945, *Conferences at Malta and Yalta*, p. 985.

⁶⁴ The Halle or Leipzig Agreement of May 22, 1945, between the Chief Representative of SHAEF, Maj. Gen. R. W. Barker, and the Soviet Group headed by Lt. Gen. K. D. Golubev, Assistant Commissar for Repatriation, was entitled "Plan for the Delivery through the Army Line of former Prisoners of War and Civilians Liberated by the Red Army and Allied Forces"; see *American Military Occupation of Germany, 1945-1953* (Hdqts., U.S. Army Europe, 1953), p. 76.

840.48 Refugees/7-745

*The Director of the Intergovernmental Committee on Refugees (Emerson) to the American Adviser on Refugees and Displaced Persons (Warren)*⁶⁵

[Extracts]

[LONDON,] 3 July, 1945.

MEMORANDUM

1. Mr. Earl Harrison has asked for some material on the following points:—

(i) How far is there any danger of overlapping and confusion between the functions of the Intergovernmental Committee on Refugees and UNRRA.

(ii) The nature of the functions of the Intergovernmental Committee in regard to the political and legal protection of refugees.

2. With regard to the first point, it may be said generally that the work of the Intergovernmental Committee is supplementary to that of UNRRA. Even at the present time there is the necessity of supplementation because the authority of UNRRA, as defined by various Resolutions of the Council, does not cover the whole range of persons coming within the practical mandate of the Intergovernmental Committee. For instance:—

(i) UNRRA is not operating in some countries.

(ii) In countries where UNRRA has not a programme of general relief, but is carrying out special measures of assistance to displaced persons, the definition of a displaced person as laid down by the Council of UNRRA is a person who has been displaced as a result of the war. There are, therefore, many persons displaced before the war who are not eligible for relief by UNRRA, but who do come within the mandate of the Intergovernmental Committee, and are in desperate need of assistance.

So far as physical relief is concerned (maintenance, lodging, clothing, medical assistance, etc.), care has been taken to see that the Intergovernmental Committee does not incur expenditure on persons coming within the authorised scope of UNRRA.

(a) In fact, no expenditure has so far been incurred by the Intergovernmental Committee for the physical relief of such persons.

(b) Before making proposals for operational expenditure, it is the duty of the Director to satisfy himself that such expenditure is not a proper liability of UNRRA.

(c) If the scope of UNRRA authority is extended so as to include persons to whom assistance is now being given by the Intergovern-

⁶⁵ Transmitted to the Department with despatch 24117, July 6, 1945, from London; received July 18.

mental Committee, it will be the duty of the Director to inform the Executive Committee accordingly, so that every effort can be made to have the liability transferred to UNRRA.

3. The above refers to the period when UNRRA is operating. By its conception UNRRA is a short term organisation. It has no authority, and no present intention, to continue its operations beyond objectives capable of achievement within a comparatively short time. In particular, it does not cover the long term problem of the stateless and non-repatriables. Even in areas in which it is operating, its functions in regard to them are limited to assistance for a reasonable period. The only international authority at present in existence which can take on the long term responsibility of these classes of persons, when and where UNRRA ceases to help them, is the Intergovernmental Committee, whose task is a long term one. The Intergovernmental Committee is, therefore, closely interested, both because of its contingent liabilities and because there are matters apart from physical needs affecting the future interests of such persons. There has, therefore, to be very close co-operation between UNRRA and the Intergovernmental Committee even in fields where UNRRA is, for the present, primarily responsible. But so long as the latter's responsibilities endure, the financial liability of the Intergovernmental Committee in such cases will be small, since it will not extend to operations, and the community of interest between the two organisations will be achieved by co-operation and not by competition. . . .

4. With regard to the protection of refugees, it is clear that it is the duty of the Intergovernmental Committee to safeguard and promote the legitimate interests of persons within its mandate. This function is particularly necessary in regard to the stateless and other persons who do not enjoy, in law or in fact, the protection of any Government. One of the worst disabilities under which such persons labour is that they have no Embassy, Legation or Consulate to which they can turn for help. When an American or British citizen is in difficulties in a foreign country he can always turn to his diplomatic or consular representative. The stateless person has no such resort. . . . In some cases, formal protection has been given by the adherence of Governments to particular Conventions. The Convention of 1933⁶⁶ may be mentioned by which various Governments gave very important rights to Nansen refugees residing in their territories relating to such questions as travel and identity documents, civil rights, employment, education, social assistance, etc. A few Governments went further and formally authorised the inter-national refugee authority, in this case

⁶⁶ Convention Relative to the International Status of Refugees, signed at Geneva, October 28, 1933, League of Nations Treaty Series, vol. CLIX, p. 199.

the High Commissioner for Refugees, to assume the function of protecting the interests of the refugees vis-à-vis the Government. Recent instances of this procedure have occurred. The French Government ratified a Convention of 1938⁶⁷ relating to German and Austrian refugees, and formally invited the Intergovernmental Committee to assume the duty of protecting the rights of the refugees themselves as defined in the Convention.

Further, within the past few weeks it has extended the provisions of the same Convention to Spanish refugees residing in French territory, and has similarly invited the Intergovernmental Committee to assume protection. The Intergovernmental Committee has accepted in both cases. This action on the part of the French Government, and the assumption of responsibility by the Intergovernmental Committee will be of very great benefit to the refugees. Its practical effect is that in matters covered by the Convention, the groups of refugees concerned, or individual refugees, can turn to the representative of the Intergovernmental Committee for assistance in the same way as the citizen of a country could turn to his diplomatic or consular representative.

In the instances given a formal relationship has been established. But I wish to emphasize the point that even when there is no formal relationship, and even if there is no Convention, there is still plenty of scope for intervention and representation by an international authority on behalf of persons coming within its mandate. . . .

5. To sum up—the function of protection is an essential part of the work of an international refugee organization. If efficiently discharged, it is of immense benefit to the persons concerned, and it is usually accepted by Governments as a valuable help to the administration in smoothing away difficulties and affording a responsible means of representation.

H. W. EMERSON

800.4016 DP/7-1345 : Telegram

*The Acting Secretary of State to the United States Political Adviser
for Germany (Murphy)*

WASHINGTON, July 13, 1945—6 p. m.

107. Vatican has recently expressed serious concern with respect to possibility that Croats, Slovenes, Slovaks and Hungarians in Brit and US zones who do not desire to return to their countries now within sphere of Soviet influence may be forced to return. Your A-47

⁶⁷ Convention on the Status of Refugees from Germany, signed at Geneva, February 10, 1938, League of Nations Treaty Series, vol. cxcii, p. 59.

June 22⁶⁸ reports initiation of negotiations with Soviet authorities for repatriation of Yugoslavs and Hungarians thru Soviet zone. Kindly consult US Group CC⁶⁹ to secure reassurance that policy of not repatriating against their wishes others than those covered by Yalta Agreement, Germans and those classified as war criminals, renegades or quislings (covered or to be covered by other instructions) will be followed with respect to groups listed in first sentence not desiring to return to their countries.

In this connection it is noted that Annex XVII (Displaced Persons and Refugees) to Basic Preliminary Plan ACC Occupation of Germany Section III 2 C (3) (your despatch 295 April 25⁶⁸) lists Croats and Slovaks as enemy displaced persons pending agreements with Govts of Yugoslavia and Czechoslovakia clarifying their status. Current US policy is to consider these groups Yugoslav and Czechoslovak nationals and thus United Nations displaced persons until otherwise advised by concerned Govts. Suggest deletion paragraph III 2 C (3).

GREW

800.4016 DP/7-2445 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

HOECHST, July 24, 1945—10 a. m.

[Received 2:50 p. m.]

209. For Warren. Reference Department's 107 of July 13, 6 p. m., regarding non-repatriation [*sic*] of Slovenes, Slovaks, Croats and Hungarians from British and US zones against their wishes.

Appropriate US Group CC authorities informed of policy stated in telegram under reference. Concurrence has been received and lower echelons will be appropriately informed immediately. Annex XVII to basic preliminary plan is obsolete and will not be put into effect. Croats and Slovaks will not be listed as enemy displaced persons in future pertinent directives.

Still operative as policy in British and US zones, SHAEF administrative memorandum No. 39 as revised, transmitted in Mission's restricted despatch No. 290 of April 25, 1945,⁶⁸ lists Italy, Hungary, Bulgaria, Rumania and Finland as ex-enemy states and their displaced nationals as ex-enemy displaced persons subject to repatriation at discretion of military and without regard to individual's wishes. While Italians subsequently have been removed from this category, presumably Austrians would now qualify. If policy outlined in

⁶⁸ Not printed.

⁶⁹ Control Commission.

Department's telegram under reference is fully developed, presumably no Hungarian, Austrian, Bulgarian, Rumanian, Czechoslovakian, Yugoslav, or Finn, except war criminals, Quislings, and renegades, will be required to return to his former home when that falls within Soviet sphere. If that is intent, instructions to that end are requested in order that appropriate military authorities may be advised.

As of July 14 there were reported in Germany 840,241 persons of nationalities last listed. Present rate of repatriation eastward and southeastward so slow that it is doubtful if many of these persons can go home before some time and rate of repatriation will be much retarded if choice is given them. One reason for rapid repatriation to date has been desire to reduce before winter number of persons for whom military would be responsible. Under present contemplated arrangements military will release responsibility where appropriate, for displaced persons to UNRRA on October 1st. Requirements program of UNRRA will of necessity have to be revised upwards if policy outlined above is effected.

MURPHY

840.50 UNRRA/7-2545 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 25, 1945—4 p. m.
[Received July 25—12:30 p. m.]

7488. 1. UNRRA administration has requested views of US Govt on national status of Jewish displaced persons and refugees. In particular they wish to know whether US concurs with views expressed in memorandum circulated by UK representative, at request of Foreign Office to members of displaced persons sub-committee last August (UNRRA document TDP/E) 44 (38, sent to Dept in despatch No. 17544 of Aug 17, 1944⁷¹). Memorandum states that since Atlantic City resolution⁷² provides against discrimination on grounds of race, religion or political belief and since UNRRA has accepted criterion of national status and place of former settled residence rather than religion or race in dealing with displaced persons, HMG⁷³ consider UNRRA is "precluded from dealing with Allied Jews as though they formed category separate from other persons whose nationality they share". For same reasons Jews of ex-enemy nationality or stateless Jews should not be treated as separate national category. Memorandum further states that HMG in assessing the

⁷¹ Not printed.

⁷² Resolution No. 9, Woodbridge, *UNRRA*, vol. III, p. 49.

⁷³ His Majesty's Government.

status of refugees recognize only those categories that are constituted either by a particular nationality, by the condition of "statelessness", or by the fact that they cannot be repatriated to their country of origin.

2. An UNRRA official told us informally that UNRRA is concerned with question in connection with policy toward Jewish voluntary societies working with displaced persons in Germany. Under Article IV paragraph 2 of UNRRA agreement and by SHAEF directive UNRRA is responsible for supervising and coordinating activities of voluntary societies.⁷⁴ Administration feels that in accordance with resolution 9 of first session of Council which states "welfare services administered by or in cooperation with administration shall be provided without discrimination because of race, creed or political belief", Jewish voluntary societies should not limit relief work solely to Jewish persons.

WINANT

800.4016 DP/7-2445 : Telegram

*The Acting Secretary of State to the United States Political Adviser
for Germany (Murphy)*

WASHINGTON, July 27, 1945—5 p. m.

180. Urtel 209 July 24. Administrative Memo 39 and EAC Directive are silent on question of returning enemy or ex-enemy nationals against their will. Section III paragraph 18 a (3) of Admr Memo 39 reads "when it is in the interest of military government, arrange through DPX channels for repatriation movement into and out of their areas". Paragraph 4 of EAC directive on displaced persons allows for "due consideration to the wishes of the individuals involved" with respect to United Nations nationals. Paragraph 7 second sentence reads "you will assume responsibility for the repatriation or return of such displaced persons (nationals of former enemy states) and refugees only when that is in the interest of the occupation". This latter sentence thus remains silent on the question of consideration of wishes of individuals.

In view of fact that Austria will be under control of four power commission ⁷⁵ it is not anticipated that Austrians (who are not in any event considered enemy nationals) will object to return. Likewise no reports have as yet been received concerning Bulgarians, Rumanians or Finns objecting to return. Slovak Catholics only Czech nationals reported to be unwilling to return to Zecho.

⁷⁴ See SHAEF Administrative Memorandum 39 (Revised), Appendix G, Woodbridge, *UNRRA*, vol. III, pp. 405 ff; see especially p. 406.

⁷⁵ See section under Austria entitled "Participation of the United States in the Operation of the Allied Commission for Austria . . .", vol. III, pp. 559 ff.

Policy as stated in Depts 107 July 13 is confirmed, it being understood that groups listed in telegram under reference with exceptions noted will not be required to return against their will. This does not mean however that they will be encouraged to remain or be invited to express preferences in the matter. Kindly telegraph estimates of numbers of foregoing nationals not desiring repatriation to date or likely not to desire repatriation.

GREW

800.4016 DP/8-445

The British Chargé (Balfour) to the Acting Secretary of State

His Majesty's Chargé d'Affaires presents his compliments to the Acting Secretary of State and has the honour to inform him that, in the opinion of His Majesty's Government, the transfer of Allied recognition to the Polish Provisional Government of National Unity ⁷⁶ makes it desirable to consider what arrangements should be made for the present maintenance and future repatriation of Polish displaced persons in Germany. The matter is of some urgency in view of the suggestion made by the Polish Provisional Government at Potsdam that they send a mission to discuss the repatriation of these Poles with the Allied Control Commission. The Polish Provisional Government are likely to do their utmost, for manpower reasons, to get these Poles back to Poland quickly.

2. His Majesty's Government have so far been at pains to ensure that no Poles, whether displaced persons, members of the Polish Armed Forces or refugees in British territory, should be asked straightaway to make a final decision whether or not to return to Poland since it is hoped that, by waiting, the number of those who choose to return will tend to increase. His Majesty's Government understand, however, that while instructions were issued by SHAEF for Poles to be registered for repatriation, no repatriation of Poles from Germany has in fact taken place except from the United States zone, and that of the ten to fifteen thousand Poles so repatriated a number have already made their way back from Poland.

3. His Majesty's Government have no wish to obstruct the speedy repatriation of any Poles who have already decided that they wish to return to Poland and since His Majesty's Government desire as many as possible to return eventually, they are ready to give the

⁷⁶ Recognition of this Government by the United States occurred on July 5, 1945; for documentation on the negotiations between the United States, the United Kingdom, and the Soviet Union regarding the establishment of a Polish Provisional Government of National Unity, see vol. v, pp. 110 ff.; for a statement by the President and an exchange of messages on the establishment of diplomatic relations with the Polish Provisional Government of National Unity, see Department of State *Bulletin*, July 8, 1945, p. 47.

Polish Provisional Government all proper opportunities for appealing to Polish displaced persons to return home and for making their case known to them. They are, however, advised that there would be a grave risk of a complete breakdown of discipline if the representatives of the Polish Provisional Government were to replace immediately the present Polish Liaison Officers. His Majesty's Government consider that they have a certain obligation to ensure, so far as possible, in the interests both of the individual Poles and of the Polish Government, that the former are not forced to make an immediate final decision in the absence of proper means of forming a judgment. It is known that Monsieur Mikolajczyk ⁷⁷ and his friends attach importance to this point. Polish prisoners-of-war and displaced persons have been cut off in Germany from all knowledge of the outside world for a long time and many of them have a natural bias against the New Government. Besides, the fact that in the matter of repatriation eastwards the Russian displaced persons have at present an absolute priority makes it impossible to organize any large scale repatriation of Poles in the immediate future. Also, Poles will be the more encouraged to volunteer for repatriation if the arrangements made for repatriation are orderly and humane and especially if some assurance can be secured from the Polish Provisional Government as to the conditions in Poland to which they will be returning. The fact that a number of those repatriated have already returned to Germany from Poland will already tend to increase the doubts of those in Germany who have not yet decided to return.

4. On all the above grounds it seems to His Majesty's Government very important that orderly and fair arrangements should be agreed with the Warsaw authorities for enabling these Poles to make their decision at their leisure, without undue pressure, and with knowledge of the relevant factors and for ensuring that the repatriation of those who choose to go is carried out in good conditions. The authority exercised by the Allied Military Commanders over what is done in their occupation zones and the probable anxiety of the Polish Provisional Government to secure the early return of the maximum number of their nationals ought together to make it possible for such arrangements to be made. In this connexion it seems important from the political standpoint, both for the future of Poland and for His Majesty's Government and United States Government, that displaced persons and prisoners-of-war who return should carry with them favourable recollections of their treatment by British and United States authorities.

5. His Majesty's Government understand that responsibility in respect of displaced persons in the British, American and French zones

⁷⁷ Stanislaw Mikolajczyk, Deputy Prime Minister and Minister of Agriculture and Agrarian Reform in the Polish Provisional Government of National Unity.

has now passed from SHAEF to the respective Zone Commanders whose policy is formulated through the Combined Displaced Persons Executive which is intended to last only until some other co-ordinating machinery can be established. It is essential therefore to secure general agreement to a policy in respect of Polish Displaced Persons which would be implemented through CDPX and its successor by the Allied Commanders in each Zone.

6. His Majesty's Government therefore propose,

(a) that no scheme should be instituted to register for repatriation Polish displaced persons in Germany until a statement has been obtained from the Polish Provisional Government regarding the conditions under which the Poles would return to Poland and until the repatriation of Soviet nationals, which has first priority, has been completed and arrangements have been made with representatives of the Polish Provisional Government for the orderly repatriation of Poles. Arrangements should, however, be made at once by the Combined Displaced Persons Executive (CDPX) to repatriate any Poles who volunteer to return to Poland without being asked to do so,

(b) that the Polish Provisional Government should be approached on similar lines by the United States Government and His Majesty's Government with a request that they should appoint representatives to discuss with British and American representatives the best manner of handling the problem in an orderly way. It is suggested that these discussions might take place in London or in the British or American zone. If the transfer of responsibility for these Polish displaced persons from the existing Polish Liaison Officers to representatives of the Polish Provisional Government is to be achieved in a peaceful and orderly fashion, it seems desirable for contact between the two to be effected under British and American auspices,

(c) that the two Governments should resist all attempts to discuss this subject in the Allied Control Commission where it would be the subject of Soviet intervention. The Soviet Government would at once demand that all displaced persons refusing to return home should be excluded from the services provided by U.N.R.R.A. It is therefore desirable to negotiate direct with the Polish Provisional Government who would be responsible for making any necessary arrangements with the Soviet authorities for repatriation across the Soviet zone.

7. Mr. Balfour would be grateful if the Acting Secretary of State would convey to him the views of the United States Government on this matter as soon as possible.

WASHINGTON, August 4, 1945.

840.4016 DP/8-1045 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 10, 1945—3 p. m.

[Received 5:15 p. m.]

8072. 1. Letter of August 3, with attached annex, from FonOff to Winant gives UK views, summarized below, on what should be done about refugees and displaced persons who may ultimately be non-repatriable. Full text follows by airgram.⁷⁸

2. HMG (His Majesty's Govt) at the present time are "strongly of the opinion that at least all persons displaced as a result of the war must be regarded as eventually or politically repatriable." They feel discussion on how definitely nonrepatriable refugees should be handled should not be undertaken at present, because it would give impression decisions had already been taken regarding nonrepatriability of certain groups and because it might increase numbers of persons who would have to be resettled.

3. HMG feel that temporary relief for displaced persons pending repatriation or decision as to nonrepatriability is, in general, task for UNRRA. IGC (Intergovernmental Committee) should undertake this task only in case of "certain specific categories of refugees in conditions where it is clear that such refugees do not come within UNRRA's mandate". These views are based on three considerations:

(1) Desirability of avoiding overlapping of agencies in field of temporary relief,

(2) Belief that if UNRRA, which is recognized as a temporary relief agency, is put in charge of caring for these people, it would tend to strengthen HMG's policy of concentrating "on establishing eventual repatriability rather than on recognizing at this stage grounds for considering repatriation impossible",

(3) Fact that "burden of expenditures by UNRRA on relief is shared as between governments on a fuller international basis than in case of expenditure on relief by IGC". However, "HMG do not suggest that, because certain categories of refugees do not qualify for relief from UNRRA they should automatically be regarded as responsibility of IGC".

4. Inquiry is made as to whether US concurs with above views, and if so, whether joint approach should be made to UNRRA and IGC "at early date with view to establishing procedure on lines indicated in annex".

5. HMG also feels that structure of IGC, whereby US and UK bear equal share of operational costs constitutes excessive burden on UK and that they cannot increase present contribution. If responsibility for caring for persons ultimately declared nonrepatriable is

⁷⁸ Not printed.

given to IGC, "it would be an essential condition of the assent of HMG that steps should be taken to reorganize that body and in particular to readjust its financial arrangements so that each member Government contributed on a proper contractual basis in accordance with its means". Inquiry is made whether US agrees that matter should now be pressed forward in IGC, and if so whether it has any views as to appropriate procedure.

6. Text of attached annex is as follows:

(a) Present relief operations in which Intergovernmental Committee is engaged with approval of His Majesty's Govt and of US Govt and of Executive Committee should be reviewed in order to ascertain whether any of categories of refugees thus being relieved can be held to come within mandate of UNRRA. If so, arrangements should be made to transfer responsibility for their relief to UNRRA as soon as possible.

(b) Any proposals which may in future be made to Intergovernmental Committee to undertake the relief of specific categories of refugees should not be approved until it is quite clear that they are outside scope of whatever UNRRA's mandate may be at time. Similarly, in event of UNRRA's mandate being enlarged, proposals for relief which Intergovernmental Committee had previously been authorized to accept should be reviewed to ascertain whether they were now properly UNRRA responsibility.

(c) When asked to approve any proposals to undertake relief of specific categories of refugees, govts represented on Executive Committee of Intergovernmental Committee (in first place His Majesty's Govt and US Govt) should be furnished with as full particulars as possible of reasons to support assumption *prima facie* that refugees in question would prove to be nonrepatriable. It would be clearly understood that unless these reasons were found to be adequate, His Majesty's Government for their part would be unable to approve assumption of relief activities on behalf of refugees in question by Intergovernmental Committee and would press for their inclusion, at any rate for time being, within mandate of UNRRA.

WINANT

800.4016 DP/8-445

The Secretary of State to the British Chargé (Balfour)

The Secretary of State presents his compliments to the British Chargé d'Affaires ad interim and, in referring to the British Embassy's note of August 4, 1945, desires to make for the consideration of the British Government the following observations with respect to the maintenance and future repatriation of Polish displaced persons now in the American Zone in Germany.

1. The United States Government agrees in principle with the views of the British Government regarding the urgency of this matter and the importance of making as soon as possible with the Warsaw authorities orderly and fair arrangements which will enable displaced

Poles to make their decision on repatriation without undue pressure, and with full knowledge of all the relevant factors. To this end, the United States Government is prepared to request the Polish Provisional Government of National Unity to appoint representatives to discuss with American and British representatives the best way of handling this problem in an orderly and expeditious manner. Such Tripartite discussions which would, of course, not affect in any way the status of those Poles who do not wish to return to Poland, might take place at Warsaw, or at some selected locality in the American or British zones in Germany.

2. The United States Government agrees that this subject is a matter for discussion between the three Governments directly concerned rather than for submission to the Allied Control Commission.

3. While the transfer of responsibility for Polish displaced persons from the existing Polish liaison officers to officers to be appointed by the Polish Provisional Government of National Unity has been approved by the United States Government, it is regarded as essential that before these new liaison officers establish, under American and British auspices, contact with Polish displaced persons and before any register for repatriation is instituted a statement should be issued by the Warsaw authorities setting forth clearly the conditions under which Poles would return to Poland. This statement might be circulated to Polish displaced persons by the combined Displaced Persons Executive (CDPX) or its successors the Allied Commanders in each zone. Thus without standing between the Polish Provisional Government of National Unity and its nationals in Germany, steps would be taken to insure that Polish displaced persons who have been cut off for many years from their homeland may not be forced to make an immediate decision in the absence of proper means to form a judgment. In this way many Poles who are undecided may be encouraged to return on the basis of the assurances contained in the statement.

Such procedure would be in full harmony with the statement of policy regarding Polish displaced persons set forth in the report of the Berlin Conference.

4. The Secretary of State will be pleased to instruct the American Ambassador at Warsaw to propose to the Polish Provisional Government that Tripartite discussions as outlined above be undertaken at the earliest possible date at Warsaw, or in some city in western Germany.

WASHINGTON, August 14, 1945.

840.48 Refugees/8-2545

*Headquarters, United States Forces, European Theater, to the
Commanding Generals, Western Military and Eastern Military
Districts*⁷⁹

AUGUST 22, 1945.

1. It is the established policy of this headquarters that stateless and non-repatriable persons shall be granted the same assistance as United Nations displaced persons. This includes ex-enemy nationals persecuted because of their race, religion or activities in favor of the United Nations. Persons discharged from concentration camps, if their loyalty to the Allied cause has been determined will receive all of the benefits granted United Nations displaced persons even if they were originally of enemy origin, such as German and Hungarian Jews, labor leaders or others put into concentration camps because of political activities or racial or religious persecution.

2. While persons of Jewish faith who desire to be repatriated to the country of which they are nationals will be treated as citizens of that nationality and placed in the same centers as other displaced persons of that nationality, those Jews who are without nationality or those not Soviet citizens who do not desire to return to their country of origin will be treated as stateless and non-repatriable.

3. In accordance with the policy of this headquarters, such persons will be segregated as rapidly as possible into special assembly centers. Those who are Jews will be cared for in special Jewish centers.

4. In establishing these special centers, particular attention will be paid to a high standard of accommodation. Wherever necessary, suitable accommodation will be requisitioned from the German population. Military commanders' powers of requisitioning will be fully utilized in order to insure that these persons are accorded priority of treatment over the German population.

5. In accordance with the policy of this headquarters, special UNRRA teams will be requested for these special centers without delay and these teams will be given maximum operating responsibility and all necessary assistance by military commanders.

By Command of General Eisenhower:

H. H. NEWMAN

Colonel, AGD

Acting Adjutant General

⁷⁹ Copy transmitted to Department as enclosure to despatch 856, August 25, 1945, from Frankfurt; received September 13.

740.00119 Control (Germany)/8-2245

The British Chargé (Balfour) to the Secretary of State

No. 406

His Majesty's Chargé d'Affaires presents his compliments to the Secretary of State and has the honour to refer to the Department's note of August 14th on the subject of the maintenance and future repatriation of Polish displaced persons in the American and British zones of occupation in Germany.

2. Since the date of this Embassy's note of August 4th on the same subject His Majesty's Government have learned :

(a) That the repatriation of Soviet citizens from Germany is expected to be completed by the end of August and will leave the field free for the military government to begin the repatriation of Poles.

(b) It is estimated that no less than 378,000 of approximately 500,000 Poles at present held in displaced persons camps in the British zone are willing to go home now. This number is far greater than was expected at this early stage.

3. The effect of the above two developments and of the very serious disorders which have occurred among displaced Poles in Germany is to make the repatriation of those Poles who are ready to go, the immediate essential. For this purpose His Majesty's Government think that the procedure proposed in paragraph 6 of this Embassy's note of August 4th is likely to be cumbersome and to involve protracted delay. It is held that fullest advantage will have to be taken of the two months or less during which the military government will be able to repatriate these Poles before the winter starts, and immediate arrangements for repatriation must therefore be put in hand.

4. On reconsideration His Majesty's Government consider that direct contact with the Soviet authorities over arrangements for repatriation is unavoidable as they will in any case be brought into the matter by the Polish authorities. His Majesty's Government have therefore decided that the speediest way of arranging for the repatriation of the 378,000 Poles who are prepared to go would be to invite the Soviet Government and the Polish Provisional Government to send representatives to an "ad hoc" Four Power meeting in Berlin to discuss transit through the Soviet zone and reception in Poland respectively.

5. In view of the large number volunteering to return, His Majesty's Government no longer see any objection to asking displaced Poles whether they wish to return within, say, one month, provided it is made clear that they are not being asked to make a final decision one way of [or] the other now. The segregation of returning Poles would take place in transit camps as a stage in the process of repatriation and it would almost certainly be necessary for them to come under the

control of officers appointed by the Polish Provisional Government before being moved into the Soviet zone. Any such arrangements as may be necessary would arise out of the meeting in Berlin mentioned above.

6. The question of access by representatives of the Polish Provisional Government to Poles not yet volunteering for repatriation will have to be considered when the Polish Provisional Government demand that right, as they undoubtedly will do. In view of the recent resolution of the UNRRA Council of [Europe?] regarding UNRRA's responsibilities in respect of displaced persons it would appear in principle impossible to deny the Polish Provisional Government access to Polish displaced persons remaining in Germany for the purpose of persuading them to return to Poland. It remains however to be decided when and under what conditions such access shall be allowed.

7. General Robertson, Field Marshal Montgomery's⁸⁰ Chief of Staff, proposes to discuss the matter on the above lines with his United States colleague, General Clay,⁸¹ and to invite the latter's agreement with the proposal that a Four Power meeting should be held in Berlin as soon as possible to discuss means of repatriating willing Poles at once. In the changing circumstances His Majesty's Government do not propose to pursue the matter through the diplomatic channel since direct contact between the military authorities in Germany seems more practicable. His Majesty's Government are in any event anxious to avoid the whole question of displaced persons in Germany becoming the subject of discussions in the Control Council and suggest that the outcome of discussions between General Robertson and General Clay should be awaited in the first instant.

WASHINGTON, August 22, 1945.

740.00119 Control (Germany)/S-2545 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, August 25, 1945—6 p. m.
[Received September 27—3 : 50 p. m.]

145. On August 21 Brigadier General Eric Fisher Wood, Deputy Director PW (Prisoners of War) and DP (Displaced Persons) Division USGCC (US Group Control Council), arrived from Frankfurt to consult with appropriate Polish military officials regarding repatriation Polish displaced persons and to consummate insofar as possible arrangements previously discussed with Colonel Naszkowski,

⁸⁰ Field Marshal Sir Bernard L. Montgomery, Commander in Chief, British Forces of Occupation in Germany.

⁸¹ Lt. Gen. Lucius D. Clay, Deputy Military Governor, United States Zone in Germany.

Chief of Polish Military Mission Paris. General was assisted by Embassy in meeting General Spychalski Chief of Staff to Marshal Rola Zymierski on August 22.

General has reported to Embassy that at his first meeting he informed Polish officials of problem and indicated his desire to have them confirm Government's readiness to cooperate in program for repatriation of considerable portion of the 335,000 Poles now in US zone and limited to those who desire to return to Poland. When Polish officials indicated they might require week to study this problem he told them of necessity of his departure following day and he would require their answer before that time. As result of lengthy conference with Lt. Col. Alef and Major Sosnicki who were designated by Gen. Spychalski to carry on discussions, Polish military officials then agreed in principle to plan presented by Wood. General requested that detailed agreement should be signed. This was first thought by Poles to be difficult of immediate accomplishment but after General insisted he could not prolong his stay various steps set forth below were agreed to and document signed by Gen. Spychalski was delivered just prior to Gen. Wood's departure:

1. Polish Govt in every way anxious to expedite repatriation of Polish DPs (Displaced Persons) and officer POWs before winter.

2. It will welcome all Polish liaison officers for repatriation in US zone (and subsequently in British zone) who declare adherence to present Government, and will maintain them in their present functions. Polish field officers from Warsaw Government under instructions of Major Sosnicki will go to US zone to interview all Polish liaison officers and accompanied by officer of Gen. Wood's staff will offer each liaison officer opportunity to declare adherence to present Polish Provisional Government. (Gen. Spychalski declined to agree to sentence proposed by Gen. Wood to effect that such declaration if made would be accepted as being in good faith and would continue to be so accepted during behavior loyal to Provisional Government the US army to be judge of this loyal behavior while liaison officers are in US zone and based on close conference and advice of Major Sosnicki.)

3. Gen. Wood had suggested to Maj. Gen. Philipov of Marshal Zhukov's ⁸² staff that Gen. Eisenhower ⁸³ wished to deliver 10,000 Polish DPs per day beginning about September 1, at transfer points Bebra-Eisenach and Hof-Plauen; that these were same transfer points through which up to 10,000 Russian DPs had been delivered; that

⁸² Marshal of the Soviet Union Georgy Konstantinovich Zhukov, Chief of Soviet Forces in Germany and Chief of the Soviet Military Administration for Germany.

⁸³ General of the Army Dwight D. Eisenhower, Commanding General, United States Forces, European Theater; Commander in Chief, United States Forces of Occupation in Germany.

substantially all Russian DPs had now been evacuated from US zone by that procedure; that same procedure previously organized and operated by Zhukov for transport of Russian DPs should be continued by him for transportation Polish DPs.⁸⁵ Above procedure would be in furtherance of specified terms of Potsdam agreement.⁸⁶

4. Polish Government acknowledged timely receipt this information and advises Gen. Eisenhower through Gen. Wood that it has already initiated negotiations with Zhukov for carrying out proposals outlined preceding paragraph and that it expects early affirmative answer from Zhukov and USSR.

5. As alternative either supplementing or in place of above procedure Polish Government desires US authorities look into possibilities of foot marches through Czecho. If Czech Government preliminary reaction favorable Polish Government ready to approach Czech Government with further proposals. Polish Government declares that foot marches if made may properly average 25 kilometers per day and question of proceeding through Russian zone Germany will be exclusively in hands of Polish Government unless further notice given by Polish Government to Gen. Eisenhower.

6. Polish Government agrees to receive and care properly for its repatriates at western border of "new" Poland any time after September 7 and assume full responsibility for such reception and care.

7. Except as modified by above subject matter of letter of August 3 from Gen. Wood to Gen. Mickelsen⁸⁷ is agreed to by Polish Government. (This letter sets forth details of plan to which Col. Naszkowski had agreed in Paris and by which movement of DPs will take place.)

Repeated to Paris as my 55 and to Moscow as my 46.

LANE

⁸⁵ On September 7, representatives of the Polish Provisional Government of National Unity and the United States Group Control Council for Germany met in Berlin to consider the details of the repatriation of Polish displaced persons from the United States zone of occupation in Germany. Several general repatriation routes by railroad and the details of train movements were arranged. While the American representatives stated that they were aiming at the objective of repatriating 10,000 Polish displaced persons daily, Polish authorities indicated their inability, under current conditions, to handle more than 5,000. Both sides reiterated that foot-marching by displaced persons would be considered only as a last resort. The American representatives expected the first repatriation trains to be running within a week.

⁸⁶ For texts of the Potsdam agreements referred to here, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference) 1945, vol. II, pp. 1491 and 1508.

⁸⁷ Brig. Gen. Stanley R. Mickelsen, United States Representative on the Prisoner of War Directorate of the Allied Control Authority for Germany.

840.4016 D.P./8-2845 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, August 28, 1945—7 p. m.
[Received September 20—7 p. m.] ⁸⁸

166. Re Murphy's telegram 307 to Department, August 15, 4 p. m.⁸⁹ I informed President Bierut August 27 regarding Marshal Zhukov's refusal to furnish gasoline for trucks transporting displaced Poles from Germany to Poland. Bierut said that he hoped it could be arranged for displaced persons to be brought back to Poland by train and that he would have it taken up with the Soviet military authorities. He said that he was apprehensive that physical condition of group would not permit their coming via foot-march. He said that he had no knowledge of the details regarding negotiations for the return of displaced persons group and that he had not been informed of General Wood's visit or of his talks with General Spychalski and the latter's staff. I regard this as significant in that the return of 800,000 potential voters should be of the greatest interest to the head of the Polish Government if free elections are to be held here.

It was of course a surprise to me that the President appeared to be uninformed on a matter, the importance of which has been repeatedly emphasized by Polish officials.

Sent to Department, repeated to Berlin as 28.

LANE

800.4016 D.P./9-1445 : Telegram

The Acting Secretary of State to the Chargé in Poland (Keith)

WASHINGTON, September 14, 1945—8 p. m.

104. Following are Dept's views regarding procedure in effecting repatriation Polish displaced persons, liberated POW's and soldiers in American Zone:

(1) Since repatriation Soviet nationals which had priority now largely completed, voluntary repatriation Poles should proceed as rapidly as possible in order maximum number be returned prior to beginning winter season.

(2) Wherever possible necessary arrangements should be completed on military rather than diplomatic or governmental level in order to save time and expedite repatriation. Experience in handling Soviet repatriation by this method shows it efficient and workable.

⁸⁸ Reproduced from confirmation copy; original not received by wire.

⁸⁹ Not printed; it reported that the repatriation of Polish displaced persons was becoming a matter of increasing urgency as winter approached, and that American military authorities were considering endeavoring to obtain Polish agreement to the principle of foot-marching the more able-bodied Polish displaced persons from the American zone of Germany back to Poland as a means of accelerating the process of repatriation (800.4016 D.P./8-1545).

US military authorities concerned are in a position to work out with Polish Liaison mission details and procedure of repatriation.

(3) Department's directives regarding categories of Poles to be repatriated remains unchanged and any change therein is to be made only after consultation and agreement between State and War Department officials at Washington.⁹⁰

Above is for your information in reply to recent telegram including urtel 15, August 18, 8 p. m.⁹¹ and for your guidance in connection with any discussions Polish authorities may initiate with you on subject.

Repeated to Berlin for Murphy.⁹²

ACHESON

740.00119 Control (Germany)/9-2145 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

FRANKFURT, September 21, 1945.

[Received September 21—12:50 p. m.]

59. In signal repeated to Agwar,⁹³ reference No. SC—2811, USFET⁹⁴ is instructing its missions to advise the governments concerned through diplomatic channels that the mass repatriation of French, Belgian, Luxembourg, Netherlands, Norwegian, Danish, Czechoslovak, Soviet, and Yugoslav nationals is complete. Of these nationalities there now remain only scattered individuals and others with doubtful claims to these nationalities. Limited numbers of individuals claiming these nationalities will continue to be repatriated from the Soviet zone and from the US, British and French zones as they are identified and their nationality is established by their government liaison officers for repatriation. Nationals of the following countries remain to be repatriated from US, British and French zones: Poland, 910,000; Italy, 40,000; Greece, 3,400; Hungary, 135,000; Rumania, 34,000.

MURPHY

800.4016 D.P./10-645

The British Minister (Makins) to the Director of the Office of European Affairs (Matthews)

WASHINGTON, October 6, 1945.

MY DEAR MR. MATTHEWS: The British members of the Combined Civil Affairs Committee were advised some weeks ago of the reports

⁹⁰ See the memorandum by the Chairman of the State-War-Navy Coordinating Committee to the Secretary of State, March 9, vol. v, p. 1075.

⁹¹ Apparently an erroneous reference.

⁹² As telegram No. 482.

⁹³ Adjutant General, War Department.

⁹⁴ United States Forces, European Theater.

received by the United States Government from Mr. Earl Harrison regarding the conditions in displaced persons camps in the areas of Germany under United States and British control.⁹⁵ The conditions in these camps have been under careful examination by the British authorities in conjunction with the British element of the Control Commission in Germany who in turn have consulted the authorities in the United States zone. I have been asked to inform you of the conclusions reached as a result of this examination.

2. Mr. Harrison suggested that official policy seemed to be to force repatriation by unpleasantness of surroundings and conditions, but the British authorities have discovered no foundation for this contention. Displaced persons are given prior consideration over German civilians as regards accommodation and food, and this policy has continually been impressed on the authorities in the British zone. Arrangements for winter accommodation for displaced persons are now well advanced.

3. You will, I think, be aware that His Majesty's Government are completely in accord with Mr. Harrison's proposal that UNRRA should assume responsibility for the care and administration of displaced persons and displaced persons camps, and UNRRA has received every encouragement from the military authorities in the British Zone to this end. The rate at which it has been possible to proceed in this matter has been limited in the past by the numbers and quality of the UNRRA personnel available, but this position is now being rapidly improved. Further, the importance of arrangements for tracing and communicating with relatives is fully appreciated, and the British element of the Control Commission have set up a tracing bureau for this purpose. It is hoped that UNRRA will be able to assume responsibility for this function also in the near future.

4. With the exception of nationals of the U.S.S.R. whose repatriation is effected under the agreement concluded at Yalta,⁹⁶ and enemy nationals, no persons are being or will be sent back to their country of origin unless they so desire. Displaced persons who are temporarily non-repatriable are being segregated on the basis of nationality. His Majesty's Government are not, however, in favour

⁹⁵ For the report of Earl G. Harrison to President Truman on Harrison's mission to Europe to inquire into the conditions and needs of those among the displaced persons in the liberated countries of Western Europe and in the SHAEF area of Germany—with particular reference to Jewish refugees—who might possibly be stateless or non-repatriable, see Department of State *Bulletin*, September 30, 1945, p. 456; see also the following: letter of President Truman to General Eisenhower, August 31, transmitting Harrison's report, *ibid.*, p. 455; reply of General Eisenhower, October 8, *ibid.*, October 21, 1945, p. 607; statement of President Truman on the situation of Jews in Europe, *ibid.*, November 18, 1945, p. 790; letter addressed to British Prime Minister Attlee, August 31, transmitting Harrison's report and urging that Jewish immigration to Palestine should not be closed, *ibid.*, p. 790.

⁹⁶ See footnote 28, p. 1161.

of a policy of segregation of Jews or non-repatriables as such, since they are unwilling to recognise Nazi attempts to deprive Jews of their German or any other nationality, or Jewish attempts to regard Jews as possessing any separate or over-riding nationality of their own as distinct from their political nationality. It is also the present policy of His Majesty's Government to look upon all displaced persons and refugees as ultimately repatriable until it has been proved finally and irrefutably that they are not repatriable. His Majesty's Government cannot, therefore, concur in any measures which would have the effect of branding categories of displaced persons prematurely and permanently as non-repatriable. This, I am informed, was a most important factor in the debates on the question of displaced persons which took place at the Third Session of the UNRRA Council.⁹⁷ In conformity with the practice of segregating temporary non-repatriables into national groups, it is also the practice of the British military authorities to segregate persons who are in the strict juridical meaning of the term "stateless". They do not, however, consider that the term "stateless" should be extended to cover that larger group who may not, for one reason or another, be repatriable at the present time but who, from the juridical point of view, have not lost their nationality.

5. It is realised that policy in the United States zone⁹⁸ as regards persons who are there termed "stateless" and who do not desire to return to their country of origin, differs from that in the British zone, but in the practice of segregation of Jews as such His Majesty's Government do not feel able to modify their position. It is, of course, agreed that persons of Jewish race may in many cases need some special form of assistance, and it is considered that the proper remedy in such cases is to give Jewish relief workers full access to their co-religionists. Should it at any time prove necessary to appoint Jewish relief or liaison officers in camps or at higher administrative levels, these should where possible be provided from displaced persons or from Jewish relief teams already in Germany, and should work under UNRRA and under the same conditions as the UNRRA personnel. This would appear to be in accordance with the policy which was recently agreed upon between the military and UNRRA authorities in both the British and United States zones. This policy has been brought to the notice of the authorities in the British zone, who are in the process of developing it.

Yours sincerely,

ROGER MAKINS

⁹⁷ Held at London, August 7-25, 1945; for documentation, see pp. 958 ff.

⁹⁸ As indicated in a directive of August 22, 1945, by General Eisenhower to the Commanding Generals of the Western and Eastern Military Districts, p. 1186.

800.4016 DP/10-945

The British Embassy to the Department of State

AIDE-MÉMOIRE

His Majesty's Government in the United Kingdom have considered with close attention the report of Mr. Earl Harrison to President Truman on the situation of Jewish displaced persons in Germany, and their views on certain aspects of this report were communicated to the Department of State in a letter addressed to Mr. H. Freeman Matthews by Mr. Makins on 6th October.

2. Lord Halifax⁹⁹ is now instructed to draw the special attention of the Department of State to Mr. Harrison's recommendation that Jewish displaced persons (including persecuted German Jews) should be regarded as non-repatriable and segregated on a racial basis forthwith, pending their removal to Palestine or to some other destination outside Europe.

3. It is understood that this recommendation has now been put into effect in the United States zone in Germany.

4. His Majesty's Government cannot but view the adoption of this policy with grave concern. It appears to them to suggest that there is no future in Europe for persons of the Jewish race, and to be open to serious objection at a time when conditions throughout Europe are still chaotic and when the effect of anti-Semitic policy, sedulously fostered by the Nazis, has not yet been undone. In the judgment of His Majesty's Government it might be regarded, by implication, as conceding the contention of the Nazi regime that there should be no place for Jews in Europe.

5. Furthermore, this policy would undoubtedly be interpreted as an indication that the United States and the United Kingdom were ready to reverse the decision reached with so much difficulty at the recent UNRRA Council, to the effect that displaced persons must be given time in which to decide freely, and after full information as to the conditions which were likely to await them in their former homes, whether to return there or not. It would oblige them to make an irrevocable decision now on this point, at a time when conditions do not exist in which a balanced judgment can be formed.

6. The United States Government and His Majesty's Government would then be faced with the problem of an increased number of displaced persons who will ultimately have to be resettled, at a time when there is an urgent need for displaced persons, Jews no less than Gentiles, to return home (unless the objection in any given case is overriding) and assist in the reconstruction of their native lands, where they all have their part to play. His Majesty's Government

⁹⁹ British Ambassador.

therefore consider that the efforts of the two governments would more advantageously be directed to the creation of conditions in which Jewish displaced persons will themselves feel it natural and right to go home rather than to admit at this stage that such conditions are impossible to create. Moreover, the Jews are not the only persecuted group. German Christians have, in many cases, suffered almost as badly.

7. His Majesty's Government feel strongly that the foregoing considerations are fundamental to the solution of this problem and that Mr. Harrison has not sufficiently taken them into account. They explain the reasons for which His Majesty's Government feel obliged, in any event, to maintain the present policy in the British zone.

8. Lord Halifax has therefore been instructed to urge strongly that the decision to segregate the Jews in the United States zone in Germany should be re-examined. It is clear that a divergence of policy between the two zones in this respect would be most unfortunate, and this point has indeed already been taken by the European Regional Office of UNRRA, which feels that it would be gravely embarrassed if it were required to follow conflicting policies in Germany.

9. In conclusion, His Majesty's Government consider, against the background to which attention has here been drawn, that the issue of the wholesale removal of European Jews to Palestine, also raised by Mr. Harrison, may not unfairly be regarded as begging a question, that is far more complex than his report would suggest. But the difficulties regarding the proposed immigration to Palestine were set forth in the Prime Minister's personal message to the President No. 9 of the 17th [16th] of September¹ and they are therefore not restated in the present communication.

WASHINGTON, October 9, 1945.

S40.48 Refugees/10-1945: Telegram

The Chargé in the United Kingdom (Gallman) to the Secretary of State

LONDON, October 19, 1945—12 a. m.

[Received 1:15 p. m.]

10951. For Department and Earl Harrison. We were told this morning by Mason who supervises FonOff refugee work that British Government has now reached policy decision on future of Inter-Governmental Committee on Refugees. He said British feel that UNO (United Nations Organization) should assume responsibility for work

¹ Printed in vol. VIII, section on Palestine.

now carried on by IGC (Inter-Governmental Committee) and that the work should be handled as integral part of UNO program rather than by a specialized agency. When we asked him if British had ECOSOC (Economic and Social Council) in mind as appropriate agency to carry on this work he said question of appropriate agency would have to be determined by UNO but that he presumed refugee work would fall in ECOSOC sphere. He added that work could probably be carried on by an agency operating with considerable administrative independence under a high commissioner or some other official directly responsible to appropriate agency but that from budgetary viewpoint it would appear most desirable to have IGC's work brought under UNO.

FonOff wishes to inform director IGC as soon as possible of British decision but does not wish to do so before it has ascertained views US Government on future IGC. It would like to inform Emerson early next week if possible in order that its views may be communicated to Executive Committee at a meeting to be held before November 20 Plenary Session IGC.

GALLMAN

840.48 Refugees/10-1945 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, October 23, 1945—7 p. m.

9358. Reurtel 10951, Oct. 19. This Govt agrees with the British Govt that the question of incorporation of work now performed by Intergovernmental Committee on Refugees into United Nations Organization should be explored at plenary meeting of Committee on Nov. 20. Problem of refugees has already been noted by Subcommittee of Executive Committee of United Nations Preparatory Commission as urgent for early consideration. In view of this Govt IGC should formulate preliminary proposals for presentation to ECOSOC as soon as latter is prepared to consider them. Question of whether work for refugees should be handled as integral part of UNO or by specialized agency should be left open at this time. Please give Stevenson² a copy of this message.

BYRNES

² Adlai E. Stevenson, Deputy United States Representative to the United Nations.

800.4016 DP/9-2445 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, October 26, 1945—5 p. m.

9463. Urtel 7488, July 25, 1945, urtel 8072, Aug 10, 1945, urtel 9717, Sept 20, 1945, your A-1048, Sept 24, 1945.³ Kindly transmit to the FonOff following reply to FonOff letter Aug 3⁴ re functions of UNRRA and IGC:

US Govt welcomes re-examination at any time of different functions of UNRRA and IGC with the object of preventing overlapping of services. This Govt believes, however, that this problem was clarified substantially by decision of the UNRRA Council in Aug that UNRRA be authorized to care for displaced persons awaiting repatriation in areas in which it is operating for a period of 6 months.

In this connection it is noted that UNRRA does not administer relief in France, Belgium and The Netherlands, and neutral countries to which the operations of IGC are at present confined. It is assumed that refugees receiving temporary IGC relief in these countries will either return to their home countries or be absorbed in countries of residence. No overlapping of UNRRA and IGC services is understood therefore to exist at present.

In Germany and Austria UNRRA clearly has sole responsibility for the relief of displaced persons for the next 6 months. It is agreed that during that period the military and UNRRA should exert every possible effort to secure the repatriation of as large numbers of displaced persons as possible. It is not understood that any steps which have been taken in Germany to date, including that of the housing of certain Jewish refugees in separate camps in the US zone, constitute in any manner a decision that any particular group of displaced persons is ultimately non-repatriable. Jews housed in separate camps are free to decide at any time to return to their home countries.

Notwithstanding the foregoing this Govt believes that the two Govts should explore as soon as possible the possibility of a more positive approach to the problem of those groups or individuals that have already expressed an unwillingness to return to their homes, with a view to devising some machinery for facilitating the repatriation of these groups or for setting in motion efforts to find some other disposition in cases in which repatriation is impossible. In the view of this Govt current efforts on the part of the military and UNRRA in this direction are not sufficient to avoid the development of a substantial relief problem which may continue indefinitely in Brit and US zones of occupation in Germany.

In the judgment of this Govt no question of duplication of services between UNRRA and IGC will arise until the IGC presents to the two Govts for approval projects of relief to persons previously in receipt of relief from UNRRA or qualified for such relief in areas in which UNRRA is operating.

³ Telegram 9717 and airgram A-1048 not printed.

⁴ For summary of letter, see telegram 8072, August 10, 3 p. m., from London, p. 1183.

This Govt agrees that every effort should be made to secure contributions to the operational expenditures of the IGC from other govt members and particularly at forthcoming plenary session of IGC in November.

BYRNES

800.4016 DP/10-945

The Department of State to the British Embassy

MEMORANDUM

Reference is made to the British Embassy's *aide-mémoire* of October 9, 1945 with reference to the segregation of Jewish displaced persons (including persecuted German Jews) on a racial basis in the United States zone of occupation in Germany.

The assumption of the British Government that Jewish displaced persons in the United States zone in Germany are considered non-repatriable and are segregated on a racial basis in separate camps is not, according to information available to the Department, borne out by the facts. The pertinent military directive repeats an earlier SHAEF directive⁵ and provides that persons of Jewish faith who desire repatriation to the country of which they are nationals are to be treated as citizens of that nationality and placed in the same centers as other displaced persons of that nationality, and that Jews who are without nationality or those who do not desire to return to their country of origin will be treated as stateless and non-repatriable persons.

Stateless Jews and those who do not desire to return to their country of origin are free to decide at any time whether they will return to their former homes, as conditions in their home countries become more stable and their individual rights and liberties are more likely to be assured.

In the view of the Government of the United States, this policy contains no suggestion that there is no future in Europe for persons of the Jewish race, nor does it imply acceptance of the Nazi contention that there should be no place for Jews in Europe. The United States Government believes that Jewish nationals will have the same rights and opportunities as other nationals in European countries. This policy has no other significance than that of an administrative method of providing care for these persons in the United States zone in Germany, and of assuring their freedom of decision with respect to return to their home countries or emigration elsewhere if such return is not feasible eventually. The mere fact that those who are unwilling at present to return to their home countries are housed in separate camps for purposes of more convenient living arrangements does not constitute a decision as to their repatriability.

⁵ See the directive of August 22, p. 1186.

The United States Government does not consider that the policy indicates a reversal of the decision of the United Nations Relief and Rehabilitation Administration Council at its recent meeting in London that UNRRA should encourage the repatriation of displaced persons and that it be authorized to care for them for a temporary period. The policy under question was adopted by the military in the United States zone in Germany after careful consideration of the problems involved in the light of military experience to date. It is not believed that sound reasons exist for a modification of this policy and no embarrassment for UNRRA is foreseen if this policy is maintained.

It is difficult for this Government to understand the implication drawn by the British Government that the military directive in effect in the United States zone in Germany with respect to the housing of certain displaced Jewish persons has any relation to "the wholesale removal of European Jews to Palestine". This conclusion, taken in conjunction with paragraph four of the *aide-mémoire* under reference, raises an issue which has never previously been presented to the United States Government and appears to lack relevancy in respect to previous communications between the two Governments.

The American Embassy in London is being instructed in replying to a letter from the Foreign Office dated August 3, 1945,⁶ to suggest that the two Governments explore the possibility of a more positive approach to the problem of those groups of displaced persons which have expressed unwillingness to return to their homes.

WASHINGTON, October 27, 1945.

800.4016 DP/10-2945

*The United States Political Adviser for Germany (Murphy) to the
Secretary of State*

No. 1211

BERLIN, October 29, 1945.

[Received November 10.]

SIR: I have the honor to transmit for the Department's information, especially that of the Adviser on Displaced Persons and Refugees, a copy of a directive issued by General Eisenhower on September 20, 1945 to all subordinate commanders relative to the treatment of United Nations displaced persons and those assimilated to them in status. This directive is a restatement of policy and practice already enunciated, but which for one reason or another had not been adequately fulfilled at operating levels in the field. It is understood that the reemphasis by General Eisenhower personally was the result in part of the Harrison report.

Respectfully yours,

ROBERT MURPHY

⁶ For summary of letter, see telegram 8072, August 10, 3 p. m., from London, p. 1183; for reply, see telegram 9463, October 26, 5 p. m., to London, *supra*.

[Enclosure]

HEADQUARTERS
U.S. FORCES, EUROPEAN THEATER
Office of the Commanding General

20 September, 1945.

MEMORANDUM FOR ALL SUBORDINATE COMMANDERS:

(This memorandum may be distributed within the command as desired by any Commander).

Subject: United Nations Displaced Persons and Those Assimilated to Them in Status.

1. Policies with respect to the housing, security, health and feeding of displaced persons have been previously announced. In execution of these policies there have been instances of hesitation due to the many administrative difficulties encountered, as well as to the confusing nature of some of the problems presented in the various sub-districts. The following is published for the guidance of all individuals whose duties involve responsibilities in caring for displaced persons—

a. The details of the organization for caring for displaced persons must be fully understood, so that every individual is clearly aware of his own responsibilities and is certain of the channels to follow in securing assistance.

b. Cooperation among Civil Government officials and military commanders in each sub-district must be complete.

c. The burden of providing the means for caring properly for these people must be to the greatest possible extent thrown upon the German population. There will be no hesitancy in requisitioning houses, grounds, or other facilities useful to displaced persons except as limited by essential considerations of practical administration. While the need for general concentration of displaced groups is recognized, this necessity must be met in such a way that excessive overcrowding in displaced person installations is avoided.

d. In seeking individuals for employment by occupational forces priority over Germans will be given always to displaced persons.

e. Sanitation and wholesomeness and sufficiency of food will occupy the attention of all responsible officials, civil and military. Surplus vegetables should be secured to supplement issue rations. Where possible these should be stored for the winter.

f. Medical services must be adequate, with personnel supplied, so far as practicable, from among the displaced persons themselves.

g. The psychological as well as the physical requirements of these people are important. Wherever possible facilities will be provided in camps for giving the maximum possible employment in such things as shoe repair, tailoring, carpenter work, and so on. Athletic fields and equipment should be secured from the German population. School rooms for children should be provided.

h. Necessary guarding should be done by displaced persons themselves, on the volunteer system and without arms. Military super-

visors may be employed but will not be used as sentries except in emergency. Everything should be done to encourage displaced persons to understand that they have been freed from tyranny and that the supervision exercised over them is merely that necessary for their own protection and well-being and to facilitate essential maintenance. In anticipation of winter months they should be encouraged to provide for themselves the greatest possible amounts of fuel.

Frequent inspections by commanders of all grades are mandatory. Incompetent personnel, either in the civil or military organizations should be instantly relieved by the Army Commander.

DWIGHT D. EISENHOWER

840.48 Refugees/10-445

The Department of State to the Swedish Legation

MEMORANDUM

Reference is made to the *Aide-mémoire* of the Legation of Sweden of October 4, 1945 (No. 687)⁷ concerning the possibility that the Swedish Government may permit some 13,000 Polish citizens including 7,000 of Jewish descent, admitted to Sweden in 1945 from concentration camps in Germany, to remain in Sweden for the present provided this Government indicates a willingness to consider the admission into the United States of a considerable part of those of Jewish descent who express a desire to migrate to this country.

The United States Government commends the humanitarian action of the Swedish Government in admitting into Sweden the former inmates of German concentration camps for rest and recuperation. This action was a substantial contribution to the efforts of the occupying powers in Germany to extend sorely needed relief to the victims of Nazi oppression.

The United States Government will give sympathetic consideration to all applications for visas without reference to the religious beliefs of the applicants, but admission into the United States depends upon the ability of each applicant to qualify under the quota and general provisions of the immigration laws. Personal examinations of the individuals concerned are a necessary prerequisite to the determination of such qualifications.

WASHINGTON, November 2, 1945.

⁷ Not printed.

840.48 Refugees/11-245: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 2, 1945—7 p. m.

9660. Kindly transmit to Fonoff following further reply to Fonoff letter Aug 2 [3] ^s re functions of UNRRA and IGC.

Reference is made to para (c) of the annex to Fonoff letter of Aug 2 [3], 1945 in which it is stated that Br Govt would be unable to approve projects of relief presented by IGC on behalf of refugees unless it were clearly shown that the refugees in question would prove to be non-repatriable.

In this connection attention is also called to limited categories of refugees receiving benefits from IGC as stated in IGC proposal for operational expenses in France and Belgium May 14, 1945. It is noted that limitation to German and Austrian refugees originally proposed for French and Belgian projects appears to have been adopted by the administration as a principle applied to all projects of relief by IGC in other areas.

Two qualifying or limiting tests appear to have been applied in administrative action.

(1) Elimination from benefits of those refugees who are nationals of a state and are therefore assumed to enjoy its protection even though they receive no assistance therefrom or from their country of residence.

(2) The test of repatriability as proposed in Fonoff letter of Aug 2 [3] and as stated in the Br refusal to approve IGC project of relief in Hungary and Rumania.

This Govt is not aware of any action on its part to date and does not now accept the foregoing limiting interpretations of the broad terms of reference adopted by IGC in Aug 1943 ⁹ nor does it understand that any action has been taken by the Plenary or Executive Committee to limit these terms of reference. In approving the French and Belgian projects this Govt did so in the belief that the categories of beneficiaries listed had no other significance than that of an *ad hoc* working arrangement between IGC and indigenous voluntary agencies in France and Belgium through which relief was to be administered.

In the view of this Govt the elimination from the benefits of the relief activities of the Committee of the foregoing groups has produced a situation in which numbers of refugees falling within the terms of reference of IGC are now without relief in countries in which IGC is functioning. Furthermore, IGC during 1945, a period of great need, having some 8 millions of dollars available for relief, will only spend approximately 2½ million dollars.

⁹ Not printed; for summary, see telegram 8072, August 10, 3 p. m., from London, p. 1183.

⁹ The Intergovernmental Committee on Refugees was reorganized in August 1943, and its mandate was extended so as to increase the number and categories of persons who came within the activities of the Committee. See Intergovernmental Committee on Refugees, *Report of the Fourth Plenary Session, August 15-17, 1944, London* (Washington, 1944), pp. 6-12.

The work of IGC and of UNRRA is at present divided on geographical lines. At the London meeting of UNRRA both the Br and US Govts supported the proposal that refugees unwilling to return to their countries should be given time to make up their minds as to return and that UNRRA should be authorized to assist them during a reasonable period. The principle of extending relief to them pending repatriation was clearly adopted. This decision affected refugees only in areas in which UNRRA is operating. In the view of this Govt refugees in the same categories living in areas in which IGC is operating should receive similar treatment. IGC which has adequate authority under its terms of reference should be permitted to extend relief in areas in which it is operating to refugees who possess nationality but receive no relief from their govts or from their countries of residence and who are unwilling to return to their countries. Extension of such relief by IGC will not imply any decision as to the repatriability of the persons involved any more than UNRRA relief to persons in the same categories in enemy areas involves such a decision. While the danger is recognized that relief to such persons may tend to increase the numbers delaying their return, it is urged that this is a consideration of relief administration inherent in any relief operation and should not operate to withhold relief to these categories in Western European and neutral countries pending their repatriation or disposition through settlement in the country of residence or elsewhere. In summary this Govt does not believe that the two Govts or IGC can defend policies in relief administration by IGC which are so obviously irreconcilable with policies supported by the two Govts in UNRRA, particularly when the only distinguishing difference between the beneficiaries of UNRRA and of IGC is the place or the country in which they are found. This Govt therefore believes that the administrative policy of relief of IGC resulting from the foregoing interpretation of the terms of reference adopted in Aug 1943 should be reviewed at the earliest possible date. In the light of the foregoing this Govt also requests the Br Govt to reconsider its decision in respect to IGC project for relief in Hungary and Rumania as soon as possible. In this connection reference is made to letter of Henderson of Sept 7, 1945 in which it is stated that Biddle expressed general concurrence with Br views upon which their negative action was based. It is suggested that Henderson may have been misinformed on this point as the discussion at meeting referred to was confined solely to the pacing in time of contributions of the two Govts to operational expenses of IGC.

BYRNES

840.48 Refugees/11-745 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 7, 1945—10 a. m.

9765. Kindly transmit following message from Under Secretary Acheson to Minister Noel Baker.¹⁰

¹⁰ Phillip Noel-Baker, British Minister of State.

Dept has recently transmitted a message to Fonoff¹¹ concerning present administrative policies of IGC which exclude from benefits all refugees except those who are stateless or lack the protection of a govt. In this connection your govt has recently expressed concern regarding the possibility of duplication of work of UNRRA and the IGC and has taken the position that it will not approve projects of relief proposed by IGC unless it is clearly shown that the beneficiaries are not repatriable.

As a result of administrative and other policies which have developed, substantial numbers of refugees who fall within terms of reference of IGC as adopted in 1943 are now without relief in areas in which IGC is operating. Funds made available to the IGC for operational expenditures by the two Govts are not being used to full advantage at a time when the need for such relief is approaching its peak this year and next. This situation jeopardizes the possibility of securing additional funds for IGC in the future and tends to discredit the organization as effective agency in dealing with this problem. In fact proposals are received that a new agency needs to be created.

It is the understanding of this Govt that no action has been taken by the Executive or Plenary Committees of IGC to date limiting the terms of reference of the Committee adopted in 1943. The work of UNRRA and the IGC is divided for the immediate period on geographical lines. UNRRA is functioning in Germany, Austria, and Italy and IGC in Spain, Portugal, France, Belgium, Holland and Switzerland. Refugees now excluded from benefits of IGC relief, particularly those who possess nationality, are not in receipt of relief from their govts or from their countries of residence. They are in effect the same categories of refugees which the Br and US Govts voted at the meeting of the UNRRA Council last August that UNRRA should assist for a period of 6 months.

It is difficult to defend the extension of relief to these refugees in Germany and Austria through UNRRA and the withholding of relief to the same categories of refugees who happen to be found in Western European and neutral countries. To extend relief to them pending their repatriability, settlement where they are, or elsewhere does not in the judgment of the US Govt constitute a decision as to their ultimate repatriability. It is admitted that relief may tend to encourage delay in repatriation and even to increase the numbers who hesitate to return but this is an inevitable problem of all relief administration whether under UNRRA or the IGC. The fact remains that most of these refugees now excluded from IGC benefits cannot at the moment return to their countries of origin for lack of transport or organization of repatriation. The withholding of relief consequently does not seem justified on these grounds.

¹¹ See telegram 9660, November 2, 7 p m., to London, p. 1203.

This Govt feels strongly that these limiting policies should be reviewed immediately in order that existing needs of refugees be met more adequately. It is my understanding that Gilpatric and Warren discussed this matter with you in August in London, and I am quite willing to extend these conversations at any time or in any way that meets your convenience. I hope however that, pending such further review of the problem between the two Govts, you will take into account the views expressed above in considering IGC operations for the coming winter.

BYRNES

840.48 Refugees/11-845 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 8, 1945—6 p. m.

9810. Kindly transmit following message from Under Secretary Acheson to Minister Noel Baker.

With further ref to my recent message to you ¹³ concerning the work of IGC I am now advised that representatives of IGC attached as liaison officers to USFET have informed USFET that in keeping with amendment to Resolution No. 57 ¹⁴ adopted at the UNRRA Council Session in London they are for the present confining their resettlement activities to those persons who are definitely stateless, presumably German and Austrian refugees denationalized by the Nazi regime. I assume that similar notice has been given to the military authorities in the Br Zone.

The result of this policy is that no action is now being taken by any organization looking toward the eventual removal to other places of settlement of those refugees or displaced persons who may finally prove in fact to be non-repatriable. In the view of this Govt IGC should assume responsibility immediately for exploring the opportunities for settlement elsewhere which may exist. Such exploration should be carried on discreetly and without notice to the groups which may benefit.

This Govt thoroughly supports every effort to repatriate as many displaced persons as possible, and shares concern with the Br Govt that all action be avoided tending to increase the numbers unwilling to return or to encourage those now unwilling to maintain this position. It is suggested, however, that it is unrealistic to assume that our hopes that all displaced persons will eventually return will be realized.

The care of displaced persons unwilling to return will become increasingly burdensome in the immediate future and in spite of all

¹³ See telegram 9765, November 7, 10 a. m., *supra*.

¹⁴ Woodbridge, *UNRRA*, vol. III, p. 135.

efforts to reduce the flow into Germany of Germans from the East, the numbers returning this winter will undoubtedly present grave problems of shelter to the occupying authorities in Germany.

In view of the fact that action by IGC for placement elsewhere of those who finally prove non-repatriable will require months in time, it is urged strongly that IGC should assume this responsibility immediately in order that removals from Germany may take place when such removals become politically expedient and when transport facilities are available. It also appears desirable that the military authorities in Germany should be advised that IGC has assumed this responsibility.

No obligation for IGC relief in Germany will be involved in this action as this responsibility remains clearly with the military authorities and UNRRA. To take no action until the period of UNRRA responsibility has ended will prove wasteful in time and extremely costly in relief funds. In this connection you will recall that Mr. Clayton ¹⁵ in August expressed the view that it would be very difficult to secure US Govt support for continuing UNRRA or military relief to displaced persons unless constructive measures had been undertaken in the meantime to find solutions for the non-repatriable. I shall therefore appreciate word from you as to the views of the Br Govt on this proposal.

BYRNES

800.4016 D.P./11-1745 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, November 17, 1945—1 p. m.
[Received November 19—1 : 04 p. m.]

1041. Following suggestion: Chief of Staff Brigadier General B. S. Milford POW and DP division OMGUS ¹⁶ has proposed the segregation of Jewish displaced persons in US zone Germany into an enclave of one or two communities with surrounding territory in order that these displaced persons may enjoy a more satisfactory community existence and to avoid unnecessary contact with unfriendly German population. I have indicated that I see no objection to this segregation but have suggested that the matter be discussed with Judge Simon Rifkind, General Eisenhower's adviser on Jewish displaced persons matters.

MURPHY

¹⁵ William L. Clayton, Assistant Secretary of State for Economic Affairs.

¹⁶ Office of Military Government, United States.

[For a summary of the Fifth Plenary Session of the Intergovernmental Committee on Refugees, held at Paris, November 20–22, 1945, see *Participation of the United States Government in International Conferences, July 1, 1945–June 30, 1946* (Department of State publication No. 2817), pages 214–216. For additional information, see *Intergovernmental Committee on Refugees: Report of the Fifth Plenary Session, November 20–22, 1945, Paris*, issued by the Committee at Washington.]

800.4016 D.P./11–2945

The Secretary of War (Patterson) to the Secretary of State

WASHINGTON, November 29, 1945.

DEAR MR. SECRETARY: I am extremely disturbed about the lack of planning or activity for resettlement of stateless and non-repatriable displaced persons who are now a United States Military responsibility in Germany and Austria.

With mass repatriation virtually completed, General McNarney¹⁷ still has about 500,000 displaced persons in the United States Zone, Germany, and General Clark¹⁸ about 250,000 in the United States Zone, Austria. It is not yet known how many of these 750,000 persons will be returned to their former countries by next spring. However, it is conservatively estimated that at least 350,000 (250,000 in the United States Zone, Germany and 100,000 in the United States Zone, Austria) must be classified as either stateless or non-repatriable.

Many of these persons were persecuted by the Nazis in a manner without parallel in history. Others were uprooted from their homes by forces beyond their control and are now unwilling to return because of changed conditions. Still others are of dubious loyalty to the United Nations but fear for their lives if forcibly returned to their countries. Whatever their background, the United States military authorities are charged with the responsibility of caring for these persons until they are resettled or moved out of areas of military responsibility. In view of the critical food, fuel, and housing shortage in Germany and Austria, as well as the tremendous problems being created by mass influx of Germans from eastern Europe, the War Department is very anxious that plans be made for temporary or permanent resettlement outside of Germany and Austria of the maximum number of stateless and non-repatriable persons.

The War Department has been assured by the State Department on numerous occasions in the past that it was the firm policy of this

¹⁷ Gen. Joseph T. McNarney, Commanding General, United States Forces in Europe.

¹⁸ Gen. Mark W. Clark, Commanding General, United States Forces in Austria; United States Military Commissioner for Austria.

Government to support the Intergovernmental Committee on Refugees in carrying out its functions of arranging for the resettlement of stateless and non-repatriable persons. However, there now appears to be considerable doubt whether the Committee will be able to do its job. I am advised that the British have made every effort to curtail the activities of the Committee, particularly by narrowing its terms of reference to include only juridically "stateless" persons, and even as to these persons the Committee has not reached the operating stage.

I feel strongly that drastic action must be taken if this Government is to fulfill its humanitarian obligations toward stateless and non-repatriable persons now within its jurisdiction. I was glad to learn that following General Eisenhower's request for governmental action looking toward a broadening of the Committee's functions, the State Department has made urgent diplomatic representations to the British to obtain reversal of their narrow interpretation of the terms of reference of the Committee. I would be interested to have your frank judgment as to the probability that the British will go along with this Government in actively supporting the Intergovernmental Committee. If British support may be expected, and I hope that it may, I would like to suggest that urgent consideration be given to strengthening United States representation on the Committee by providing a full time and adequate operating staff. On the other hand if, in your judgment, it is unlikely that reliance can be placed upon the Intergovernmental Committee in the near future to perform these tasks, then I believe that this Government should unilaterally undertake to make appropriate plans for resettlement of stateless and non-repatriable persons now in the United States zones of Germany and Austria.

I should appreciate advice from you with respect to this matter in order that the War Department may keep Generals McNarney and Clark informed of developments.

Sincerely yours,

ROBERT P. PATTERSON

800.4016 D.P./11-1745 : Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy)

WASHINGTON, December 1, 1945—1 p. m.

987. Suggestion re segregation Jewish displaced persons contained urtel 1041 Nov 17 viewed favorably by Dept. Please inform Dept re ultimate action taken.

BYRNES

840.48 Refugees/12-445: Telegram

The Secretary of State to the Minister in Sweden (Johnson)

WASHINGTON, December 8, 1945—5 p. m.

2207. Urtel 3556 December 4.²⁰ For your information, all three representatives of the Baltic States asked the Department whether the US Govt could use its influence to reverse the decision taken by the Swedish Govt regarding the deportation of the Baltic refugees. They were informed that since this was a matter which concerns solely the Swedish and Soviet Govts the US Govt could not intervene. It was pointed out that the Swedish Legation in Washington had previously been informed that the US Govt did not require the involuntary return to their homeland of Baltic citizens from American-controlled areas.

BYRNES

800.4016 DP/12-1445

*The Chairman of the State-War-Navy Coordinating Committee
(Dunn) to the Secretary of State*

WASHINGTON, 14 December, 1945.

By informal action on 14 December 1945, the State-War-Navy Coordinating Committee approved SWNCC 221/4.

A copy of the approved paper is forwarded herewith for guidance and, where appropriate, for implementation.

For the State-War-Navy Coordinating Committee:

JAMES CLEMENT DUNN

[Enclosure—Extract]

REPATRIATION OF JAPANESE AND OTHER PERSONS FROM THE JAPANESE MANDATED ISLANDS

Conclusions ²¹

4. It is concluded that:

a. All non-native civilians in the Japanese Mandated Islands who wish to be repatriated may be repatriated.

b. All persons should be repatriated whose presence in the islands constitutes an active threat to security.

c. All Japanese nationals whose place of origin was the main Japanese islands (not including the Liuchiu Islands) should be repatri-

²⁰ Not printed.

²¹ In approving SWNCC 221/4, the Committee requested the addition of the following footnote to each reference to the Liuchiu Islands in sub-paragraphs 4c and d; “*The terms Liuchiu Islands, Ryukyu Islands, Nansei Islands and Lu Chu Islands are synonymous.”

ated to Japan except those whom CinCPac may at his discretion permit to remain.

d. All Japanese nationals whose place of origin was the Liuchiu Islands and who have resided in the Japanese Mandated Islands for less than ten years shall be repatriated to the Liuchiu Islands or the main Japanese Islands, as they may prefer, except those whom CinCPac may at his discretion permit to remain. No repatriations to the Liuchiu Islands shall be undertaken until adequate reception facilities have been established and appropriate arrangements made with the military government of these islands.

e. All movement of persons to be repatriated should be coordinated with CinCAFPac, and no actual movement shall be made without mutual agreement between CinCPac and CinCAFPac.

f. Adequate records should be kept concerning all persons who are repatriated in order to make it possible to deal with any claims for compensation or reimbursement which may arise.

g. Upon the completion of the repatriations herein authorized, the situation in regard to non-native civilians in the Japanese Mandated Islands shall be re-examined by CinCPac and a further report made containing such recommendations as may be appropriate at that time.

Recommendations

5. It is recommended that, upon approval by the State-War-Navy Coordinating Committee of the "Conclusions", this report be transmitted to the Joint Chiefs of Staff and to the State, War and Navy Departments for their guidance and, where appropriate, for implementation.

S40.48 Refugees/12-1545

The Ambassador in the United Kingdom (Winant) to the Secretary of State

No. 27405

LONDON, December 15, 1945.

[Received January 4, 1946.]

SIR: Referring to the Embassy's telegram No. 12928 of December 10, 1945,²² which reported *inter alia* that the Director of the Intergovernmental Committee on Refugees had expressed concern to an officer of the Embassy about the reported large scale migration of Polish Jews from Poland, I have the honor to enclose a transcript of a letter on this subject addressed to the Embassy by the Director of the Intergovernmental Committee on December 13.

Respectfully yours,

For the Ambassador:

RICHARD A. JOHNSON

Third Secretary of Embassy

²² Not printed.

[Enclosure]

The Director of the Intergovernmental Committee on Refugees (Emerson) to the Third Secretary of Embassy in the United Kingdom (Johnson)

IC/857/118

DECEMBER 13, 1945.

MY DEAR JOHNSON: I am writing to draw attention to the situation that has arisen, and is likely to develop, owing to the large scale migration from Poland of Jews of Polish nationality. It relates mainly to Poles who were in Poland during the whole of the occupation, but includes some who have returned to Poland from territory east of the Curzon Line and a few who have returned from Germany. It has been in progress for several months, and estimates of the number of such persons that have already left Poland vary between 10,000 and 20,000. The movement is mainly into Czechoslovakia, and for some time continued through that country into the American Zones of Germany and Austria. Many of the migrants were furnished with false papers representing them to be of German origin, and so long as the movement involved transit only through Czechoslovakia, facilities were afforded by the Government of Czechoslovakia, documents being given which assisted their onward passage. It appears, however, that about the beginning of October, the military authorities in the American Zones began to question the status of these persons as "repatriates", and their transfer across the border became more difficult. The Czechoslovakian Government had, therefore, to reconsider the position, and while still unwilling forcibly to deport persons who had entered Czechoslovakia back to Poland, it is not prepared to give them indefinite asylum in Czechoslovakia. According to information received from the representative of the Intergovernmental Committee in Prague, the Government might be prepared to give them refuge for a limited period if there were a guarantee of their removal elsewhere by an international official body and provision were made for their care and maintenance. Meanwhile, permission is being refused to new parties to cross the Polish-Czechoslovakian frontier. In a letter dated the 30th November, 1945,²³ the representative has reported the presence of two parties of 500 and 600 persons respectively on the frontier, who are living in the woods in very severe conditions. Most of them have German documents and claim that they are returning to Germany, but this claim is almost certainly false. There is little sign that the movement is abating.

2. From discussions with persons who have recently been in Poland, the main causes of the migration would appear to be the fol-

²³ Not printed.

lowing. There was strong anti-Semitism in Poland before the war, and this was increased by German propaganda during the occupation; in some of the concentration camps Polish Jews were very badly treated by non-Jewish Poles who were used by the Germans to carry out their brutal policy; the property of Jews in Poland, as elsewhere, was confiscated; much of it is now in the hands of non-Jewish Poles who are afraid that it may be taken from them and restored to the original owners; this fear is a direct encouragement of the natural anti-Semitism and is probably the most powerful single factor in the alleged widespread feeling among the population that the present time affords a good opportunity of getting rid of the Jews. Apart from anxiety regarding their physical safety, the Jews are reported to be strongly averse to remaining in a country where they suffered such terrible experiences during the occupation, and where most of them have lost one or more close relatives. On the other hand, apart from an incident in Cracow some months ago, there has been no information of the pogroms until the last few days, when somewhat vague reports have appeared in the press. Officially the Polish Government has condemned anti-Semitism and has expressed its desire to retain the Jews. There is no evidence that persecution is being encouraged in any way by the Polish Government. On the other hand, there is no information that active measures are being taken by the Polish Government to discourage the migration, or to remove so far as possible the causes which are giving rise to it.

3. Hitherto the Intergovernmental Committee has not been actively concerned with this movement. Representations regarding it have, however, been made by private agencies, and it is not improbable that the Government of Czechoslovakia may raise the question as to whether the migrants come within the practical responsibility of the Committee. Whether the migrants come within the mandate of the Committee as defined in the Rules of Constitution would appear to be largely a question of fact. The mandate includes persons who, "as a result of events in Europe, have had to leave, or may have to leave their countries of residence because of the danger to their lives or liberties on account of their race, religion or political beliefs". Persecution is an essential element, and the mere fact of migration from causes other than persecution would not satisfy the conditions of the mandate. On present information, it is very difficult to form a clear opinion as to whether persecution is an important element. Since it is desirable that accurate information should be obtained on this point, I would request that if there is no objection, I may be given an appreciation from information in the possession of the State Department of the causes leading to the migration, with special reference to the element of persecution.

4. Apart, however, from the question of immediate responsibility, it is obvious that this movement has already aggravated the general long term problem of non-repatriables, and that if it continues and develops into a mass migration, it will add very greatly to the difficulties of permanent settlement of refugees. It is desirable, therefore, that preventive measures be taken now in so far as they may be practicable. In this connection I would make two suggestions. First, that the Polish Government be urged to take more active measures, than hitherto, to combat anti-Semitism now prevalent among the population, to assure the life and liberty of Jews and to create conditions in which they will be encouraged to stay in their own country. Second, I would recommend for consideration some method of restitution to the Jews which would mitigate the effect of depriving third parties (often innocent purchasers) of property of which they have been in possession for some years. I have in mind the creating of a fund out of reparations which could be utilised for this purpose. I have reason to believe that such a measure would not only remove a powerful cause of the hostility towards Jews in Poland, but would encourage many Jews to remain rather than to migrate. I appreciate the theoretical objections to such a course, but believe they are outweighed by the practical advantages, and the necessity of quick and effective action.

I have written in similar terms to Mr. MacKillop²⁵ of the Foreign Office.

Yours sincerely

H. W. EMERSON

S60C.4016/12-1645 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, December 16, 1945—12 a. m.
[Received January 9, 1946—10:52 a. m.]

678. Re unnumbered telegram from Berlin from Elbrick,²⁶ December 11, 5 p. m.²⁷ I am convinced that reports regarding persecution of Jews and pogroms in Poland are greatly exaggerated. There is no doubt of widespread anti-Semitic feeling in Poland caused by traditional hostility between Poles and Jews and due to general unpopularity of present govt in which several Jews hold key positions. I have personally investigated reports regarding alleged pogrom in Krakow last August and am convinced this was isolated demonstration of ill feeling which broke out because of irresponsible acts of some young hoodlums. Treatment of Jews is, in my opinion, no worse than that received by Poles now returning from Soviet Union.

²⁵ Douglas MacKillop, Head of the Refugee Department.

²⁶ Charles B. Elbrick, First Secretary and Consul at Warsaw.

²⁷ Not printed.

In fairness, it should be pointed out that Polish Govt is allowing Jews to leave Poland freely although Polish citizens of the Polish race find the greatest difficulty to obtain exit permits to leave the country.

Sent to Berlin as 159; repeated to Dept as 678.

LANE

840.48 Refugees/12-1945

The Secretary of War (Patterson) to the Acting Secretary of State

WASHINGTON, December 19, 1945.

DEAR MR. ACHESON: The War Department has just received an urgent cable from General McNarney²⁸ describing the critical problem faced by the Military Government in the United States Zone in Germany of deciding whether or not asylum and care should be given to persons who are currently fleeing eastern European countries with claims of active persecution, or fear thereof, on account of race, religion or political beliefs.

General McNarney reports that an estimated 300 persons per day, mostly Polish Jews, are crossing the border into Bavaria despite Military Government Law 161 prohibiting such entry, and that 250 Polish Jews are arriving in Berlin daily. These movements are in addition to the return to Germany of German populations of Poland, Hungary and Czechoslovakia with respect to which agreement was reached in the Berlin Protocol²⁹ and more recently in the Control Council. The potential extent of the movement of persecutees cannot be determined accurately. From a realistic viewpoint, the United States Zone appears to most persecuted persons as the only accessible safehaven remaining in Europe. While it is estimated that there are some 250,000 Polish Jews remaining in Poland and the Soviet Union, it is not known how many of these, or how many non-Jewish Poles, might be expected to seek asylum in the United States Zone, Germany. The number of persons who might seek entry from other eastern European countries is also unknown. Moreover, some displaced persons previously repatriated are returning with relatives and friends, and other displaced persons have been moving to the United States Zone from the British and Russian Zones.

The problem presented by this gravitation from many directions to the United States Zone in quest of better conditions is a new one with respect to which no United States policy has been established. In occupying Germany, the United States undertook to administer the United States Zone and to care for displaced persons found therein

²⁸ Not printed.

²⁹ See paragraph XIII, "Orderly Transfers of German Populations", in Final Protocol of the Berlin Conference, signed August 1, 1945, *Conference of Berlin (Potsdam)* 1945, vol. II, pp. 1479, 1511.

at the time of the German surrender. In the Berlin Protocol the United States, with the United Kingdom and the USSR, agreed to accept into Germany, Germans formerly resident in Poland, Hungary, and Czechoslovakia. No agreement has to date been made or responsibility assumed by this Government to grant asylum in the United States Zone to persons who claim to be the victims of discrimination by countries other than Germany.

It is my strong feeling, and I am sure that you will agree with me, that General McNarney and the War Department must look to the Department of State for a firm policy decision with respect to this problem. In order to insure that in making such a decision the Department has before it as many relevant factors as possible, I would like to mention several other important considerations not referred to above.

I think that it is important to bear in mind the close relationship of this problem to that of planning for resettlement of stateless and nonrepatriable persons now under our control. You will recall that in my letter of 29 November, I expressed my concern about the lack of planning and activity for resettlement of stateless and non-repatriable displaced persons now in the United States Zones of Germany and Austria. If no progress is made in resettlement activities, and none whatsoever appears to have been made to date, every additional person claiming to be persecuted who is admitted to the United States Zone must be cared for indefinitely. We would, in effect, be expanding the "hard core" of non-repatriables rather than reducing it. I cite this factor not as a bar to a policy of asylum but rather as an indication of the importance of considering resettlement as a phase of this problem.

Another important factor is the type of care needed by these persons, as well as by a substantial proportion of stateless and non-repatriable persons already under our jurisdiction. It is not enough merely to afford emergency shelter and rations. What is really needed is specialized treatment for rehabilitating such persons in a manner which will prepare them for a new life in the future. The War Department had planned for a long time to turn over complete responsibility for care and handling of stateless and non-repatriable persons to a civilian agency which would be able to furnish the specialized care required. It was felt that a civilian organization could be in a better position than the Army to provide trained social workers and administrative personnel to handle this problem, and could more effectively mobilize the services of experienced voluntary agencies. It was for these reasons that the Army had made tentative arrangements to transfer full responsibility for care of displaced persons in Germany to the United Nations Relief and Rehabilitation Administration on October 1, 1945.

As a result of the insistence of this Government, UNRRA was prohibited by its Council last August from providing basic supplies for displaced persons in Germany. Since the Army had to continue furnishing all basic supplies, it was placed in the position of being required to retain overall supervision and control of displaced persons with UNRRA actually in charge of most of the camps. While theoretically this might seem to be a satisfactory solution, in practice it has not been so. The inroads of demobilization upon our troops and Military Government have left our Army in Germany without the experienced and technically expert personnel necessary to carry out even this supervisory function.

I think it is important, therefore, that at the earliest possible date direct and complete responsibility should be given to a civilian agency for the handling of all persons in the United States Zone entitled to treatment as United Nations displaced persons. As long as the UNRRA Council resolution mentioned above remains in effect, there appears to be no possibility that this job can be given over to UNRRA. A further obstacle to assumption of complete responsibility by UNRRA is the opposition of certain of its member Governments to assisting persons who do not desire to return to their countries of origin. The Intergovernmental Committee on Refugees is subject to similar disabilities because of the opinions of some of its member Governments.

In my own thinking, based upon discussions with the Chief of Staff and others within the War Department, I have been led to the tentative conclusion that an independent civilian agency should be established by the President to assume overall responsibility for persons in the United States Zone, Germany, entitled to treatment as United Nations displaced persons. This would be desirable in my opinion whether or not an asylum policy is approved, but particularly so if added responsibilities are created by approval of such a policy. I think that such an agency might be set up on the model of the War Refugee Board which performed so effectively during the war and which was dissolved last September. Such a civilian agency would be responsible for utilizing to the maximum available extent personnel and resources of UNRRA, Intergovernmental Committee on Refugees, voluntary agencies and the Army. In addition, it might serve as the agent of this Government for planning and arranging for resettlement of stateless and non-repatriable persons, if the Intergovernmental Committee will not function more promptly and effectively in these matters.

General Eisenhower and I are anxious to discuss all aspects of this subject with you and your staff as soon as possible, but I thought that

it might prove useful to you to have some of our views preliminary to such a discussion. General McNarney has stressed the seriousness of the problem, and accordingly I believe it is important that he be informed of this Government's policy at the earliest possible moment.

Sincerely yours,

ROBERT P. PATTERSON

840.48 Refugees/12-2145

*Memorandum of Conversation, by the Adviser on Refugees and
Displaced Persons (Warren)*

[WASHINGTON,] December 21, 1945.

Participants: Messrs. Acheson, Hickerson,³⁰ Doyle,³¹ and Warren.

Mr. Warren advised that the Secretary of War in his letter of December 19, 1945 to the Acting Secretary of State had requested a firm policy decision with respect to the continuing acceptance in the U.S. zone in Germany of a flow of approximately 550 Jews daily from Poland. Pending the determination of policy, the War Department had requested by phone interim approval or disapproval before the Christmas holidays of the action of General McNarney in receiving such refugees to date on humanitarian grounds contrary to Military Government Law 161, and in the absence of any other directive. The group had before it the War Department letter under reference, a copy of the proposed White House release on refugees, and memoranda prepared by Mr. Durbrow and Mr. Warren.

Mr. Warren explained that Generals Eisenhower and Hildring in describing the movement to the American members of the Anglo-American Palestine Commission had defended the policy of receiving the Polish Jews on humanitarian grounds, and had assumed full responsibility for the action. In answer to a question by Mr. Doyle, Mr. Warren explained further that living conditions in the camps in the U.S. zone which had shown great improvement following the President's letter to General Eisenhower last summer,³² were now deteriorating because of the influx from Poland, and that the War Department feared that it might be again subjected to criticism on this account in view of the fact that the worsening of conditions would prove unavoidable if the influx from Poland were to continue.

Mr. Acheson commented that it would be very important to avoid any action or decision which would appear to be inconsistent with the spirit of the President's directive on refugees. He also questioned Mr. Hickerson on the wisdom of approaching the Polish, Czech, and

³⁰ Deputy Director, Office of European Affairs.

³¹ Assistant to the Chief, War Areas Economic Division.

³² Dated August 31, 1945; see Department of State *Bulletin*, September 30, 1945, p. 455.

Soviet Governments in the matter, and the possible effects of this action. Mr. Hickerson stated that anti-Semitism undoubtedly existed in the Polish population which the Polish Government was too weak to control, and that the attitude of the Polish population toward the Jews was a part of their resistance to the Polish Government which includes a number of Jewish pro-Communist members. He also reported that the Polish Government had advised Ambassador Lane that exit permits would be granted to Polish Jews only, and that this was an indication that the Polish Government was at least passive toward the departure of the Jews. In response to a question from Mr. Acheson he agreed that in the event that the U.S. Government shut off the flow, the Polish Government might place the blame for refusing exit to the Jews from Poland upon this Government. In the discussion which followed on this point no clear appraisal of the attitude of the Soviet Government in the matter seemed possible, and it was generally agreed that the Czech Government probably looked upon the movement as a problem to be resolved by the Soviet, Polish, United States, and British Governments.

After further discussion it was decided that Mr. Warren should advise the Civil Affairs Division of the War Department that their humanitarian action in receiving the Polish Jews to date was understood and temporarily approved, pending a final decision on policy to be determined immediately after Christmas, and that Mr. Acheson would explain the situation to the White House. It was also agreed that the interested divisions of the Department would proceed immediately on December 26 to decide upon a permanent policy.

GEORGE L. WARREN

800.4016 DP/11-2945

The Acting Secretary of State to the Secretary of War (Patterson)

WASHINGTON, December 28, 1945.

MY DEAR MR. SECRETARY: I have received your letter of November 29, 1945 with reference to the status of planning or activity for the resettlement of stateless and non-repatriable displaced persons who are now a United States military responsibility in Germany and Austria.

The eventual disposition of these persons is a matter of constant concern to the Department of State, and is receiving every possible attention. As you have been previously advised, the Department has made strong representations to the British Government in efforts to secure the collaboration of that Government in the expansion of the activities of the Intergovernmental Committee. The position of the Intergovernmental Committee is that it cannot assume responsibility

in Germany and Austria for others than the juridically stateless during the period in which UNRRA has the responsibility for the care of displaced persons. Even as to the juridically stateless, responsibility is limited to preparation for resettlement. The British Government supports this position strongly on the ground that there should be no overlapping of functions by UNRRA and the Intergovernmental Committee.

The British Government particularly takes the position that the Intergovernmental Committee should not assume responsibility for persons such as Poles who possess a nationality or have the protection of a government, but who are unwilling to return to their country as this would constitute a formal acceptance of their nonrepatriability. Such action in the view of the British Government would tend to increase the numbers of nonrepatriables during a period in which it is agreed by both Governments that every possible effort should be made to repatriate as large numbers as possible.

In the view of this Government much can be said in support of the foregoing. On the other hand, it appears unrealistic to delay further recognition of the fact that there will inevitably remain considerable numbers for whom some other solution than repatriation will have to be found. Considering the necessity of continuing support for those whose repatriation cannot be achieved, it appears essential to this Government to initiate planning now looking toward the ultimate disposition of these persons, difficult as this may prove to be under existing circumstances.

The lack of available transport to remove such persons to other areas, the uncertainties as to the specific persons who should be removed, the political resistance to such removal on the part of their countries of origin, and the lack of opportunities of immigration to other areas in Western Europe and overseas suggest the unlikelihood that large numbers of such persons may soon be removed from Germany and Austria. However, a realistic appraisal of the problem suggests the possibility that as soon as communications are available between Germany, Austria, and other countries permitting the displaced persons involved to communicate with relatives and friends in other countries, many of the non-repatriables will be able within a few months, assuming also the availability of shipping, to find places of residence for themselves in other countries. There is also the possibility that the Intergovernmental Committee after the period of UNRRA responsibility is over will be able to arrange possibilities of immigration for groups of persons to countries of potential immigration both overseas and in Western Europe. This latter effort presents political difficulties in that potential countries of immigra-

tion are unwilling at present to consider the admission of persons whose movement would not have the support of their countries of origin.

I can assure you that the Department of State will do everything within its power to secure the expansion of the activities of the Intergovernmental Committee and to find other ways and means of liquidating the problem. Specifically, it is anticipated that further negotiations with the British Government will be held early in the next year, and that the political situation will be clarified further at the next meeting of the Council of UNRRA. Whatever favorable results may attend these efforts, it must be expected that some of the non-repatriables at least will eventually have to be absorbed in the German economy because of the lack of immigration possibilities for them in other countries. I shall, of course, keep you currently informed on developments.

Sincerely yours,

DEAN ACHESON

800.4016 DP/12-2945

The British Embassy to the Department of State

AIDE-MÉMOIRE

His Majesty's Government in the United Kingdom have given careful consideration to the State Department memorandum of the 27th October, 1945, regarding the segregation of Jewish displaced persons in Germany.

2. His Majesty's Government were gratified to learn that Jewish displaced persons who desire to be repatriated or to return to their homes are not segregated from other persons who are nationals of the same country. They had in mind, however, the rather different case of German Jews, whom the Nazis attempted to deprive of their German nationality under the Nuernberg laws. As His Majesty's Government understand it, such persons are liable to be segregated, as stateless persons, under the United States policy described in the State Department's memorandum.

3. His Majesty's Government believe that segregation may well lead the German Jewish displaced persons concerned to assume that some special arrangements are contemplated for their eventual settlement in another country.

4. His Majesty's Government believe that if, as they hope, the Allies succeed in destroying the Nazi system, the great majority of German Jews will be capable of ultimate reabsorption into the German community, and their policy in the British zone of Germany is

designed to encourage German Jews to seek to rebuild their lives in their own country.³³

WASHINGTON, December 29, 1945.

840.50 UNRRA/12-3145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 31, 1945—5 p. m.
[Received January 1, 1946—6:30 a. m.]

13706. For Gilpatric. UNRRA Series No. 15.

1. Ward, general counsel for UNRRA, his legal adviser, and Simon, Legal adviser UNRRA HQ, Frankfurt, formally expressed their concern at the position War Dept has taken in negotiations on the agreement between UNRRA and Commanding General USFET³⁴ concerning UNRRA responsibilities for displaced persons in US zone Germany.³⁵

2. An agreement has been signed with British for their zone.³⁶ French agreement has not yet been signed because French want UNRRA to take responsibility for procurement of supplies although French are willing to pay for them. Ward thinks French may feel that if they have responsibility for procurement, some supplies might have to come from their own allocations. Negotiations are continuing with French.³⁷

3. In regard to US zone USFET approved draft agreement along lines of British agreement and this draft was sent to War Dept. War Dept made substantial amendments which UNRRA accepted in principle around beginning of November. War Dept draft was then sent to USFET who took it up with Mirgaa [UNRRA?] in Germany. UNRRA then decided draft could not be accepted.

³³ Replying to the above memorandum on January 28, 1946, the Department stated:

"As was stated in the Department's memorandum of October 27, 1945 the policy of segregation has no other significance than that of an administrative method of providing more convenient living arrangements for these persons. Under policies in effect in the United States zone in Germany, German Jews are encouraged to re-establish themselves in the German communities. Recent reports indicate that many such persons have succeeded in these efforts. Others have failed and on proper identification have been re-admitted to the displaced persons centers.

"In the view of the Government of the United States these policies have been adopted without prejudice to any solution which may eventually be found for the persons in question." (800.4016 DP/12-2945)

³⁴ United States Forces, European Theater.

³⁵ For text of Agreement as to the Relationship of the Commanding General, USFET, in the United States Zone of Germany to UNRRA, signed on February 19, 1946, see Woodbridge, *UNRRA*, vol. III, p. 201.

³⁶ November 27, 1945.

³⁷ A French agreement was signed on February 18, 1946.

4. In original draft UNRRA undertakes defined responsibilities for care, control and movement of United Nations displaced persons in US zone. In War Dept draft all responsibility rests with the Commanding General and UNRRA undertakes to perform certain functions. The purpose of the former is stated as follows: "The object of this agreement is to state the relationship and respective responsibilities of UNRRA and Commanding General USFET in the care, control and movement of United Nations displaced persons and those assimilated to them in status in the United States zone of Germany." The corresponding sentence in War Dept draft reads: "The object of this agreement is to state the relationship of UNRRA to the Commanding General USFET in the discharge of this responsibility for the care, control and movement of United Nations displaced persons and those assimilated to them in status in the United States zone of Germany."

5. The alterations in the original agreement flowing from the elimination of any "responsibility" belonging to UNRRA are important particularly in paragraph 3. The beginning of the paragraph reads as follows in original draft: "As of the date when this agreement becomes effective UNRRA, subject to the laws, general orders, rules and regulations of the Commanding General, USFET and to the resolutions of the UNRRA Council, will assume responsibility for functions relating to the care, maintenance, rehabilitation and disposition of displaced persons within the United States zone etc." Same sentence in War Dept draft reads: "The Commanding General USFET retains overall responsibility for the care, control and movement of displaced persons in the US zone. UNRRA subject to the laws, general orders, rules and regulations, directives and overall supervision of the Commanding General USFET will to the extent permitted by the resolutions of the UNRRA Council perform designated functions relating to displaced persons within the US zone etc." In addition the following sentence is omitted from War Dept's draft in paragraph 3 (a). "UNRRA's duties in the administration of assembly centers will include the determination whether displaced persons fall within the categories whom UNRRA is authorized to assist the control of admission to assembly centers and the disposition of displaced persons." Other amendments are of similar nature.

6. UNRRA does not want to sign an agreement that puts it in a worse position in US zone than it has obtained in British zone. It cannot understand War Dept attitude in view of the fact that UNRRA is administering higher proportion of camps in US zone than in any other zone and that US army personnel are being rigidly withdrawn from Germany.

7. If draft as proposed by the War Dept comes before CCE it will face a storm of protest. There has always been insistent pressure

from Allies that UNRRA be given clearly defined responsibilities. Rkndel [*Rendel?*] will attack it strongly and at great length and we shall be hard pressed to explain US position. We hope War Dept may be persuaded to modify its position. If this is not possible please let us know urgently the reasons for its amendments. Next CCE meeting is January 11 and matter may come up then. In meantime Penrose³⁸ will discuss question with UNRRA and USFET in Germany.

WINANT

840.48 Refugees/12-1945

The Secretary of State to the Acting Secretary of War (Royall)

WASHINGTON, January 7, 1946.

MY DEAR MR. SECRETARY: The Department of State has given full consideration to your letter of December 19 requesting a policy decision with respect to the granting of asylum in the United States zone in Germany to persons who are currently fleeing from reported persecution in eastern European countries. To supplement the information supplied in your letter, cables were sent to the United States missions in Berlin and Warsaw, and reports have now been received. Other reports on the subject have been received from Caserta.

The situation set forth in these reports may be summarized as follows. The refugees arriving from Poland have been carefully interviewed and quite generally give reports of pogroms and persecution. Efforts have been made to obtain details as to time and place, and these reports, where possible, have been investigated. So far no evidence has been uncovered supporting reports of physical persecution, nor does the appearance of the refugees even in regard to nourishment or clothing indicate that such has been the case. The reports fully bear out the fact that economic and living conditions in Poland are poor or bad and that this situation applies to the entire population. They indicate further that efforts made by UNRRA and other agencies to improve the situation have not created any general amelioration. The questioning of the refugees undoubtedly indicates a fear of hostile attacks and impending persecution on the part of the populations in their home areas.

This Government would wish to offer asylum in any areas under its control to those who seek it. Unfortunately the number of persons who can be received and cared for in the United States zone in Germany is, according to the reports, already exceeded. The choice appears to be not between offering asylum and not offering it, but between maintaining bearable conditions for those who have already

³⁸ Ernest Penrose, Adviser, Third Session of UNRRA Council.

sought asylum and permitting those conditions to deteriorate by the influx of still further refugees into the zone, where the conditions of all would be intolerable. It is believed therefore that Military Government Law 161, which prohibits entry, should be enforced as of a date sufficiently far in the future, as for instance January 25, 1946, so that in the meantime notice of such enforcement may be sent by the Department of State to the Governments of Poland, Czechoslovakia and the U.S.S.R. If this is done, those already en route would not be subjected to further hardship and those who may be contemplating their departure for the United States zone may be fully apprized of the situation.

The Department has also given consideration to your suggestion that a civilian agency for the handling of all persons in the United States zone entitled to treatment as United Nations displaced persons be created, in view of the apparent inability of UNRRA or the Intergovernmental Committee on Refugees to take effective action looking toward the placement of non-repatriables in other areas. As you are aware, UNRRA has no authority under the terms of its resolutions to do other than assist in the repatriation of displaced persons to their countries of origin or to the countries of former residence, which may accept them. It is true, as I have indicated in my letter of December 28, 1945, that the interest of certain member Governments of the Intergovernmental Committee in their nationals who are unwilling to return to their homes handicaps action by the Committee at the moment. Action by the Committee has also been delayed by the raising by the British Government of the question of the incorporation of the Committee and its activities in the United Nations.

Without minimizing these political difficulties it is also true that substantial progress in liquidating the non-repatriable group in Germany cannot be expected until communication facilities from Germany to other countries are available to United Nations displaced persons, permitting them to plan with available relatives and friends for their settlement in other countries. The availability of shipping is also essential.

In view of the likelihood that the political and organizational problems which the Intergovernmental Committee faces will be resolved by direct negotiation between the British and United States Governments, at the meeting of the United Nations this month and at the approaching meeting of the UNRRA Council, it does not appear feasible or desirable to create a United States civilian organization to assume responsibilities which should properly be shared by all the United Nations. Furthermore, a United States civilian organization would face the same problems now confronting the Intergovernmental Committee. It therefore appears wiser to concentrate all energies on

the proper organization, strengthening, and clarification of the functions of the Intergovernmental Committee on Refugees.

I shall be glad at any time to discuss these problems, which are admittedly serious, with you and the members of your staff, and shall await your suggestion as to an appropriate time.

Sincerely yours,

JAMES F. BYRNES

S40.48 Refugees/12-2745 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, January 11, 1946—5 p. m.

328. Urtel 13589 Dec 27.⁴¹ Kindly advise Fonoff that view of this Govt is that efforts of IGC to deal with problem of refugees should not be held in abeyance pending action by United Nations. Disposition of those who will eventually prove to be non-repatriable in US zones of Germany and Austria is matter of extreme urgency which is being pressed upon Dept vigorously by US military which has received no assistance to date in problem from IGC. It is therefore important that US and UK Govts reach early agreement as to work of IGC, and consequently Dept will welcome detailed reply to Under Secretary's message to Minister of State (Deptels 9765 and 9810 Nov 7 and 8) as soon as possible.

Also advise FonOff that Dept urges early reconsideration of negative UK decision in respect to IGC project for Switzerland (encl. no. 2 urdesp 27240 Dec 5⁴²) and perceives no objection to IGC intervention on behalf of Spanish refugees in Gibraltar (encl. no. 3 desp under ref). Reply to encl. no. 1 desp under ref follows by pouch.

ACHESON

⁴¹ Not printed (S40.48 Refugees/12-2745) : it reported a letter from the Foreign Office stating that since the question of responsibility for refugee work had been discussed by British and United States representatives at the plenary session of the IGC in Paris and since the future organization of refugee work was before the United Nations Preparatory Commission, it was assumed that a detailed reply was no longer expected to the messages of November 7 and 8 (pp. 1204 and 1206, respectively).

⁴² Despatch and enclosures not printed.

INTEREST OF THE UNITED STATES IN THE TRANSFER OF GERMAN POPULATIONS FROM POLAND, CZECHO- SLOVAKIA, HUNGARY, RUMANIA, AND AUSTRIA

740.00119 EAC/11-3044

*The Czechoslovak Minister of State (Ripka) to the Chargé Near the
Czechoslovak Government in Exile (Schoenfeld), at London*¹

No. 10.304/d/44.

LONDON, 23 November, 1944.

EXCELLENCY: For the information of the Government of the United States of America I have the honour to submit the enclosed Memorandum outlining the programme of the Czechoslovak Government regarding the solution of the question of the German minority in Czechoslovakia. This solution involves the removal of roughly two-thirds of the German population of the Republic by voluntary emigration and organised transfer, and the establishment of conditions which would promote a gradual merging of the remaining part of the minority with the rest of the Czechoslovak population so as to form a political and cultural unity. The plan is based upon the following three assumptions:

a/ that the Governments of the United Nations most directly interested in preserving the peace of Europe share the Czechoslovak Government's desire to make an end, once and for all, of a very troublesome and dangerous problem,—dangerous from the point of view of Czechoslovak as well as general European security;

b/ that no solution of this problem should involve any arrangements detrimental to the territorial integrity of the Czechoslovak Republic within its pre-Munich frontiers;² and

c/ that the terms imposed upon Germany after her defeat will oblige her to accept as her citizens all Germans transferred or otherwise removed from Czechoslovakia and find accommodation for them on German soil; and that the Allied occupation authorities in Germany will see to it that Germany duly fulfills her obligations in this respect.

¹ Transmitted to the Department by the Chargé to the Czechoslovak Government in Exile in his despatch 218, November 30, 1944; received December 6, 1944.

² For text of the Munich Agreement, signed on September 29, 1938, between Germany, the United Kingdom, France, and Italy, see *Documents on British Foreign Policy, 1919-1939*, Third Series, vol. II (London, His Majesty's Stationery Office, 1949), p. 627, or *Documents on German Foreign Policy, 1918-1945*, series D, vol. II (Washington, Government Printing Office, 1949), p. 1014. For documentation regarding the German-Czechoslovak crisis, see *Foreign Relations*, 1938, vol. I, pp. 483 ff.

I should be greatly obliged if Your Excellency would kindly lay the enclosed Memorandum before the Government of the United States of America and would let me know their views on this matter which is of vital importance to Czechoslovakia.

I avail myself [etc.]

HUBERT RIPKA

[Enclosure]

MEMORANDUM OF THE CZECHOSLOVAK GOVERNMENT ON THE PROBLEM OF
THE GERMAN MINORITY IN CZECHOSLOVAKIA ³

I.

1. It is now generally recognised that national minorities,—i.e. minorities who consider themselves and are considered part of a nation other than the one on whose territory they live,—constitute a serious source of friction and conflict between nations, a menace to internal and international peace, and a potential danger to the security of the State containing them; they have, moreover, in the past been used as instruments of political pressure and expansionist schemes, and pretexts for aggression.

This is especially true of German minorities, in particular those in States bordering on Germany, who always considered them as one of the most effective means for upsetting the European order established after the last war.

2. It is obvious that the problem cannot be solved by territorial adjustments: in fact it is owing to the impossibility of finding a frontier-line which would not leave a minority on one or both of its sides that minority problems have arisen; for European minorities live nowhere in compact groups unmixed with other nationalities. The mere fact that a minority population is numerically superior in a particular district does not of itself entitle it to claim national sovereignty there, especially when, as in Bohemia, such districts have always formed with the rest of the country a geographical, historical, political, economic, social and cultural unit within one natural defensive frontier. The nation which has held this frontier ever since the beginnings of its history, and to whom it is indispensable for the maintenance of its independence, cannot surrender it merely because the agitation of an aggressive neighbour has inflamed the population of

³ This memorandum was submitted to the European Advisory Commission under cover of a letter of November 25, 1944, from the Czechoslovak Minister of State, Ripka, to the Ambassador in the United Kingdom, John G. Winant, then Chairman of the European Advisory Commission. The letter from Minister Ripka to Ambassador Winant was virtually identical with the letter from Ripka to the Chargé to the Czechoslovak Government in Exile, dated November 23, 1944, *supra*. The memorandum and the covering letter, which were circulated in the European Advisory Commission as document P12B/4/44, were transmitted to the Department by Ambassador Winant with his despatch 19747, December 8, 1944; received December 13. (740.00119 EAC/12-844)

the frontier districts with a desire for union with a foreign State. A territorial settlement thus enforced and the principle involved in it would only contain the germ of new conflicts and wars.

In the case of Czechoslovakia any such attempt to solve the German minority problem by territorial adjustments would moreover lead to the absurd, morally unacceptable, and politically dangerous result of justifying German aggression by allowing Germany, though militarily defeated, to emerge from the war strengthened in territorial, economic, and psychological respects, while depriving Czechoslovakia, though a victim of German aggression, of its historic, natural, and strategic frontiers, and placing it economically and strategically as completely at the mercy of Germany as it became after Munich.

Among other things it would leave in Germany's hands valuable raw-material resources, such as the Most and Falknov coal and lignite fields which form the basis of a large part of the Third Reich's production of synthetic petrol and rubber.

It cannot be sufficiently stressed that German control of Czechoslovak territory is an essential condition for the "Drang nach Osten" and a necessary preliminary for the "Drang nach Westen".

3. After past experiences, especially since the advent of Nazism and the appalling mass-murders and brutalities committed by the Germans upon the Czechoslovaks, it cannot be hoped that the Czechoslovak people could live peacefully together with a major part of the German minority in Czechoslovakia.

4. The liberated Republic cannot, moreover, tolerate the existence, on its territory, of elements who have proved by their attitude that they regard themselves, not as citizens of the Czechoslovak State, but as members of a neighbouring and hostile nation and State, which they consider to be their proper cultural and political home (See App. 1.⁴). Their presence constitutes a permanent danger to the existence of the Republic, more especially as the territory in which most of them are settled is situated in the frontier areas and is therefore of the greatest importance for the defence of the State.

4.1 Any attempt to retain the German minority in a country in which it so gravely compromised itself as in Czechoslovakia would involve that country in a vicious circle from which it would find it difficult to escape without causing a new international crisis.

Past experiences of the nations afflicted by a German minority, and particularly during German occupation, have naturally increased their mistrust and hostility towards the members of this minority, especially the younger ones, reared and trained under Nazism; this mistrust would necessarily and naturally lead to various precautionary measures (e.g. the refusal to appoint members of such a minority

⁴ Appendix I, a memorandum entitled "The Pan-Germanism of the Germans in Czechoslovakia", not printed.

to responsible functions) which would certainly be resented by the members of the minority as unfair discrimination and would produce bitterness, grievances and obstructive action on their part; this in its turn would provoke repressive measures by the Government, with consequent internal disturbances which might easily become a pretext or even cause for new wars.

5. Under these circumstances, and accepting the fact that it is not intended to use German methods in order either forcibly to assimilate or exterminate the 3 million Germans living on Czechoslovak territory, the transfer of a major part of the German population which manifested its actively hostile attitude towards the Czechoslovak State and which insists on regarding Germany as its cultural and political home, is nothing short of a prime necessity: it is a condition which must be fulfilled before it will be possible to speak of the internal or external security of Czechoslovakia, or, for that matter, of European security in general.

6. All the usual arguments against a transfer of population prove, on careful examination, to be invalid when compared with the major interests involved and the dangers arising from a continuance of the old conditions. (For their detailed discussion see App. 2.⁵)

7. While conditions of security must take precedence over any other, there are three considerations, which, in so far as they can be reconciled with the former, must influence the extent, method, and rate of the eventual expulsion or transfer in any practical scheme concerning Czechoslovakia:

a) The transfer should not apply to those members of the German minority who have actively participated in the struggle for the liberation of the Czechoslovak Republic;

b) it should be so planned as to keep to a minimum the economic injury to the Republic, which might result from a sudden and indiscriminate removal of skilled man-power;

c) it should not aggravate too much the problem of repatriation of displaced persons which will be one of the major problems of the immediate post-war period. The transfer of Germans from Czechoslovakia to Germany and the repatriation of displaced Czechoslovaks from Germany to Czechoslovakia should be properly coordinated and harmonised, which is quite feasible as the two movements are of opposite directions.

8. Having regard to all political and economic considerations, in particular those set forth above, the Czechoslovak Government feels that Czechoslovakia can, without endangering the security of the State, retain somewhat less than a third of its present German minority, up to, but not exceeding the number of 800,000. Members of the German minority up to this number will be allowed to remain

⁵ Appendix II, a memorandum entitled "Discussion of Current Arguments Against Compulsory Transfers", not printed.

if they have not proved disloyal towards the Czechoslovak Republic, and on condition that they will undertake, without any reservation, to bring up their children in the democratic spirit of Czechoslovak citizenship and will do nothing which would tend to prevent a gradual merging of their descendants with the Czechoslovak people in a political and cultural unity. It should not be forgotten that a large proportion of the German minority consists of Germanised descendants of the autochthonous Czech population.

9. As to the precise number of people affected by the proposed transfer, it is as yet impossible to give any but a very rough estimate. Taking the 1930 census figures, according to which the German minority numbered 3.2 million, and assuming that about 250,000 Germans will have been lost as war casualties (including workers who have died or permanently settled in Germany during the war), and that approximately a further 500,000 of the more pronounced Henleinists⁶ and other Nazis will flee from Czechoslovakia of their own accord, we are left with a little more than 1,600,000 Germans to dispose of by a process of organised transfer.

9.1 This estimate, as already stated, is only approximate; many factors (including the birth- and death-rates of the German population during the six years of occupation) are as yet unknown or unavailable, and this makes it impossible to give exact figures before the whole of Czechoslovakia is liberated from German and Magyar occupation.

10. Conditions and methods of procedure with regard to this transfer will be formulated as soon as more accurate numerical and material data, determining the extent and technical details of the task, become known. Generally it may, however, be said that the Czechoslovak Government envisages the process of transfer as a gradual one, and one which will give the affected members of the German minority sufficient opportunity for voluntary emigration to Germany or to other countries which may be willing to accept them as immigrants.

11. Concurrently with the process of the transfer of the Germans, the Czechoslovak Government will carry out a systematic resettlement of the evacuated regions with Czechs, Slovaks and Ruthenes from other parts of the Republic or from abroad (Germany, Austria, Volhynia, America) and also, should they wish to migrate into Czechoslovakia, with the Lusatian Sorbs (see 11.1). Incidentally, it may be remarked that the scheme will enable the Republic to solve the problem of surplus agricultural population in the eastern parts of the Republic.

⁶ Konrad Henlein, Gauleiter of the Sudetengau and Reichsstatthalter. Prior to the cession of the Sudetenland to Germany under the terms of the Munich Agreement of September 29, 1938, Henlein had been leader of the Nazi-type Sudeten German Party. Henlein committed suicide on May 10, 1945, following his capture by the U.S. 7th Army.

11.1 Lusatia, which is today a part of Saxony and Prussia, belonged from the Middle Ages (14th Century) until 1635 to the lands of the Bohemian Crown and is still inhabited by the remnants of autochthonous Slavonic elements, known as Lusatian Sorbs (Wends) and numbering about 150,000, whose language is closely related to Czech. In spite of a continuous and violent Germanisation, they have preserved their national character, language and consciousness. In 1919 the Lusatian representatives, backed by the Czechoslovak Delegation at the Peace Conference, demanded minority protection for their people.⁷

12. An appropriate organisation will be set up by the Czechoslovak Government and entrusted with all practical details of the transfer and re-settlement which will make it possible for the process to be carried out in the most efficient and orderly manner; for this purpose it must be in contact with, and enjoy the co-operation of, the relevant Allied bodies in occupied Germany.

13. To make the transfer possible without undue delay and new international complications, it is, however, necessary that Germany should accept the following commitments:

a) to recognise as her citizens and to admit to her territory all Germans, who were formerly Czechoslovak subjects and who may be expelled or transferred to Germany, or who voluntarily emigrate there;

b) to attend, at her expense, to these persons from the moment of their reaching her frontiers until their final settlement upon her territory, and for this purpose to make all necessary arrangements of a legislative and administrative character, including the provision of the necessary land;

c) to honour, in an appropriate fashion, the vouchers issued by the Czechoslovak State to transferred persons as receipts for the property left behind in Czechoslovakia (such payments to be debited against Czechoslovak claims on Germany), and to exchange any German money brought by them from Czechoslovakia, should this money be no longer current in Germany;

d) to release from German citizenship, and to allow to emigrate to Czechoslovakia any Czechs, Slovaks, Ruthenes and Lusatian Sorbs who, with the consent of the Czechoslovak Government, may wish to acquire Czechoslovak citizenship and settle in Czechoslovakia.

13.1 The first three of the above proposals have already been submitted to the European Advisory Commission in the Memorandum of the Czechoslovak Government dated 24 August, 1944.⁸

⁷ For statement by Eduard Beneš, then Czechoslovak Foreign Minister, at a meeting of the Council of Ten on February 5, 1919, regarding the Sorbs of Lusatia, see *Foreign Relations*, The Paris Peace Conference, 1919, vol. III, p. 886.

⁸ Not printed; it set forth the views of the Czechoslovak Government regarding the surrender of Germany (740.00119 EAC/S-2644). For a summary of the views of the Czechoslovak Government, see "Report by the Committee of Experts of the European Advisory Commission," *Foreign Relations*, 1944, vol. I, pp. 68, 72.

13.2 Germany should, of course, also retain or accept such Czechoslovak Germans who at the conclusion of hostilities will be found outside Czechoslovakia and whom Czechoslovakia may refuse to repatriate. Since there is a considerable number of such people in Germany itself, this will diminish the technical problem both of repatriation and transfer.

14. The group retained by the Czechoslovak Republic would contain all those who actively fought for the liberation of the Czechoslovak Republic, and those elements among the Germans for whom linguistic and cultural allegiance does not imply a political allegiance to Germany. It will further comprise most of the nationally indifferent elements who considered themselves German because of some fortuitous circumstances.

15. Great caution must be exercised to prevent disguised Nazis among the minority from escaping transfer with the idea of repudiating, at some future opportune moment, any engagements of loyalty entered into, and acting as instigators of new irredentist movements. For this reason it must be left to the responsible authorities of the Czechoslovak State to make the final selection of the desirable elements and to decide, after carefully examining and sifting all evidence, who are to remain and who must be transferred.

II.

16. To ensure against the creation of a new irredenta, and to facilitate the administrative task of selecting the people who wish to remain under the new conditions and whom it is desirable to retain, it is proposed to proceed as follows:

16.1 All Germans possessing Czechoslovak citizenship—with the exception of those who took an active part in the struggle for the liberation of Czechoslovakia—will be deprived of Czechoslovak citizenship by a decree or law of the Republic.

16.11 The fact that Germany declared all Germans in the Czech territories to be her subjects, although invalid from the point of view of the Czechoslovak laws, considerably simplifies the situation: with the exception of the comparatively insignificant number of Germans in Slovakia (who remained "Slovak" citizens), the transfer will apply to persons whom Germany regards as her citizens. But even the Germans in Slovakia had a special position in their relationship towards the German Reich, recognising special allegiance to the Reich or the Reich-German Nazi organisations: thus, for example, they were enlisted into the German (and not Slovak) army and special SS detachments.

16.12 It may seem that the act of depriving *all* Germans of their Czechoslovak citizenship, while there is no intention to transfer them all, goes beyond the demands of necessity and that a more logical pro-

cedure would be to deprive of Czechoslovak citizenship only those individual Germans who are to be transferred to Germany. On careful reflection it will, however, be recognised that the latter procedure would impose an almost hopeless task from the administrative point of view, and could therefore never achieve its object of reaching all who must be dealt with; in innumerable cases it would, moreover, leave Czechoslovak citizenship to persons who have no desire to retain it. The procedure proposed avoids these pitfalls: instead of a large-scale search for the guilty and undesirable who form the majority, the administrative task is reduced to selecting the smaller number to be retained from those who desire to remain and are recognised as reliable and desirable elements;—but it also makes the Germans who wish to regain Czechoslovak citizenship to “contract in” under clear, new conditions, which they will freely accept “*en pleine connaissance de cause*”.

16.2 Germans who desire to remain in Czechoslovakia will have to apply for the restoration of their Czechoslovak citizenship. This application will be examined, and those accepted for readmission will, after a probationary period of about two years which in particular cases can be shortened, have their Czechoslovak citizenship restored with all political rights enjoyed by other citizens of the Republic. Until then the régime specified below under 17. will be applied to them. But as soon as a positive decision is reached as to their readmission, gradual mitigation of restrictions imposed by this régime can be envisaged.

16.21 The law depriving Germans of their Czechoslovak citizenship will specify the categories of persons who will not be granted readmission to citizenship of the Republic (persons guilty of a disloyal or hostile attitude towards the Czechoslovak Republic or her citizens) and no applications by persons from these categories will be considered.

17. Those Germans who, in principle, are not excluded from readmission to Czechoslovak citizenship will, pending a final decision, or if the decision is a negative one, be allowed to stay until dealt with under the transfer arrangements. They will not be subjected to any other restrictions than those ensuing from the execution of the transfer (e.g. registration, control of residence and movement etc.). Having ceased to be citizens of the Czechoslovak Republic, they cannot, of course, enjoy the political and other rights of Czechoslovak citizens. The same applies to those who will not seek readmission, and who will emigrate before arrangements for their transfer are completed.

18. There is no intention of confiscating the private property of persons transferred, unless it should become forfeit on the basis of a legal penalty. They will, as a rule, be allowed to take their movables

with them, with the exception of goods the export of which will be generally prohibited (e.g. livestock, machines, some currencies, gold, etc.).

19. In return for the property left behind, the price of which will be established in accordance with an established standard, they will receive either receipts authorising them to obtain payment on account of Czechoslovak claims against the German State, the Reichsbank or German nationals, or they will be paid in German money which may be found on Czechoslovak territory.

20. The presence of the Magyar minority in Czechoslovakia raises problems less dangerous than those caused by the German minority; but the Czechoslovak Government reserves to itself the right to proceed in a manner analogous to the proposals of this Memorandum in respect of those elements amongst the Magyar minority which have shown themselves to be hostile to the Republic. Incidentally, the presence of a considerable Slovak minority in pre-1938 Hungary makes it possible to solve this problem largely on the basis of an exchange of population.

III.

21. It is not proposed to give the Germans readmitted to Czechoslovak citizenship any special status which under the present circumstances would necessarily tend to make them "second class" citizens. The ultimate aim of this plan is the elimination of the German minority in Czechoslovakia qua national minority and the integration of the people of the Republic into one national unity; and this implies that while the individual German citizens of the Republic will possess all political rights enjoyed by all other citizens, they will in principle not be allowed any special rights as a political collective, or any special rights over and above the normal rights enjoyed by every citizen of the State. In particular it is not the ultimate intention of the Czechoslovak Government, subject to approval by the free expression of the will of the Czechoslovak people, to grant the Germans and Magyars in Czechoslovakia those linguistic privileges which they have hitherto possessed and which in Central Europe constitute the most important feature of collective minority rights.

22. While this means that ultimately no one will be entitled to demand the use of German (or Magyar) in Czechoslovak courts or for official purposes, and that no one in Czechoslovakia will be able to claim German (or Magyar) schools for his children, it is admitted that any attempt to carry this principle into *immediate* practice would generally tend to impair the normal civic rights of the citizens who do not speak the language of the State; nor would it be in the interest of the Republic to deny education to children who do not possess full knowledge of the language of the State. The Czechoslovak Govern-

ment is conscious of this fact and is prepared to grant the readmitted Germans certain *temporary* privileges or alleviations which in the past they have possessed as a part of their collective minority rights. It may be assumed, for instance, that elderly people who can no longer be expected to learn Czech sufficiently for the full exercise of their rights, will be allowed to use German before the courts and for official purposes, and that German children from a purely German environment will, at least in the first generation, be granted elementary schooling in their mother tongue. The existing linguistic privileges would thus be gradually and progressively extinguished with the least injury to the State and the individual citizen.

23. While the reports reaching the Czechoslovak Government from the occupied territory leave absolutely no doubt about the wholehearted and unanimous approval which any plan to remove the German minority will arouse in the liberated Czechoslovak people, it is impossible to judge to what extent the Government will be able to obtain support for any concessions, however temporary, which it will be prepared to grant to the remaining members of the German minority. For this reason the Czechoslovak Government must reserve its decision until it has been able to ascertain the will of the nation through democratically elected representatives of the Czechoslovak people, whose ultimate attitude will be determined by circumstances which are not fully known here and some of which possibly may yet arise.

24. Nevertheless, it may be taken for granted, that Czechoslovakia will be prepared to accept any obligations which may be universally accepted and applied in all European States in respect of linguistic, religious, or racial minorities. In principle, however, the Czechoslovak Government would consider it *extremely dangerous* to grant again a special *minority status* to the Germans on Czechoslovak territory.

25. As regards religious minorities it can be taken as a matter of course that they will retain all the rights which they enjoyed in Czechoslovakia before September 1938.

IV.

RÉSUMÉ:

1. After the past experiences between the two wars, and particularly after the unexampled acts of barbarity committed by the Germans against the Czechoslovak people during the present war, it is unthinkable that the state of affairs which existed in Czechoslovakia before Munich in respect of the German minority should be allowed to remain.

2. It is solely by a radical reduction in the number of Germans in the Czechoslovak Republic to a figure which would not involve

any menace to the security of the Czechoslovak State and people, and which could ultimately be merged with the latter, that there can be any positive settlement of the German (and similarly of the Magyar) question in the Czechoslovak Republic.

3. In this way, Czechoslovakia will be able to attain the requisite homogeneity which is in the obvious interest of the security, internal peace and prosperity of every State. At the same time, however, one of the most serious causes of international conflicts and disputes will be removed, thus promoting international peace.

4. It is proposed to achieve these aims by a transfer of Germans (including, of course, all disloyal elements among them) which will not leave more than 800,000 of them in Czechoslovakia. (As regards Magyars, the problem can largely be settled on the basis of an exchange of population.)

5. The transfer must be carried out on organised lines, within the shortest possible period, i.e. about two years. The short period and an effective organisation will reduce the hardships of those transferred to a minimum, and at the same time will render possible rapid restoration and stabilisation of the political, economic and social conditions in liberated Czechoslovakia.

6. To achieve all these aims, it is essential, *a*) that Germany should be obliged by the capitulation terms to admit on her territory Germans transferred from Czechoslovakia, to recognise them as German citizens and to attend to their permanent settlement on her territory, *b*) that the relevant Allied bodies in occupied Germany should see to it that Germany conscientiously fulfils these obligations; these Allied bodies should likewise promote the realisation of the scheme by the appropriate means at their disposal.

By achieving the proposed schemes it will be possible to resolve the difficult and dangerous problem of the German, and analogously that of the Magyar minorities in Czechoslovakia.

[For the text of the statement by the Secretary of State, released to the press on December 18, 1944, regarding United States policy toward Poland and the readiness of the United States Government to cooperate with other governments to assist the Polish State to transfer national groups, see Department of State *Bulletin*, December 24, 1944, page 836. For the expression of the intention of the United States Government to raise no objection to the transfer of national minorities from Poland, see letter of November 17, 1944, from President Roosevelt to Stanislaw Mikolajczyk, then Prime

Minister of the Polish Government in Exile at London, *Foreign Relations*, 1944, volume III, page 1334.]

740.00119 Control (Rumania)/1-445: Telegram

The American Representative in Rumania (Berry) to the Secretary of State

BUCHAREST, January 4, 1945—9 p. m.

[Received January 5—10:33 p. m.]

12. Obviously greatly disturbed Foreign Minister told me yesterday evening that General Vinogradov,⁹ in the name of the ACC,¹⁰ has demanded of the Prime Minister that the Rumanian Government prepare lists by January 15 of Rumanian nationals of German race, both men and women between the ages of 16 and 40, in order that they may be transported to the Soviet Union.

Soviet authorities at the same time requested 5,000 railway cars for the transport of these persons.

Rumanian Government has protested vigorously against this proposal as being completely outside of the armistice terms but realizes it may be forced to give the demanded lists in view of Soviet contention that the German minority is engaged in extensive espionage and is hindering the Russian war effort. Government's suggestion that those Rumanian nationals of German race believed by Soviets to be dangerous be interned has been ignored. German nationals interned in Rumania and German Jewish refugees are considered temporarily unaffected by this demand. Today the Prime Minister sent me a message confirming these statements and adding that the status of the Hungarian minority is uncertain pending the outcome of the armistice talks between the Provisional Hungarian Government and the Soviets.¹¹

This latest request appears to be the culminating point of a policy of deportation that the Soviets have applied to Rumania. It was first manifested in demands for the return of former residents of Bessarabia and northern Bucovina who were living there in June, 1940. (See my 39 of November 30, 8 a. m., and my No. 75 of December 23, 9 p. m.).¹² These deportations, including thousands of per-

⁹ Lt. Gen. Vladimir Petrovich Vinogradov, Deputy Chairman (Soviet) of the Allied Control Commission for Rumania.

¹⁰ Allied Control Commission.

¹¹ An armistice agreement between the Soviet Union, the United Kingdom, and the United States on the one hand and Hungary on the other was signed at Moscow, January 20, 1945; for text of the agreement, see Department of State Executive Agreement Series No. 456, or 59 Stat. (pt. 2) 1321. For documentation on the negotiations leading to the agreement, see *Foreign Relations*, 1944, vol. III, pp. 847 ff.

¹² Neither printed.

sons unwilling to return have continued despite the Rumanian Government's spirited protests. A recent Radio Moscow broadcast said 36,000 people have returned to Bessarabia from Rumania and thousands more were "waiting" to return.

Next the application touched those persons, regardless of origin, who stated their "desire" to migrate to the Soviet Union and concurrently the White Russians in Rumania. This office was confidentially informed that toward the end of December the Soviet authorities presented to the Chief of Secret Police a list of 28 Rumanian nationals of Russian origin, that they wished to take. These persons have been arrested and have disappeared. Reportedly they did not participate in political activity. Rumanians naturally view this first White Russian list as a forerunner of others.

Finally, the application of the policy touches the physically vigorous element among the Rumanian Saxons and Swabians who have lived here for centuries. These people of German stock are of great economic importance to Rumania. Thus, quite aside from the humanitarian feelings that the threatened deportation arouses, the Rumanian Government foresees a grave dislocation in the country's economic life by the removal of some 300,000 citizens. Additionally it fears that if it complies with this latest Soviet demand it will sound the death knell of Rumanian internal authority.

In Bucharest, even thoughtful people believe that the policy of deportation is a step in a larger Soviet plan to bring about the dissolution of the Rumanian State. (Please see my telegrams No. 42 of November 30, 6 p. m.,¹³ and No. 58 of December 12, 8 p. m.¹⁴). They are convinced that what is happening in Rumania forecasts future population movements from Germany and other central European countries to the Soviet Union with consequences to those countries similar to what is expected in Rumania.

From many Rumanians I have been sent appeals on behalf of Rumanian nationals forced to return to Bessarabia. Similar pleas on behalf of White Russians are now coming to me. It is inevitable that I will be deluged with petitions from some of the hundreds of thousands of people that will be affected if the declared Soviet intention to transport the youthful section of the German minority materializes.

From the beginning of the Bessarabian deportations the pleaders uniformly have based their hopes upon American political ideals of justice and freedom. They assume that what is being done in Rumania in the name of the ACC is being done upon agreement among the Soviet, British and American authorities. In view of this, I be-

¹³ Not printed.

¹⁴ *Foreign Relations*, 1944, vol. IV, p. 280.

lieve that as an armistice signatory the American Government cannot escape its share of censure in Rumanian eyes if large scale deportations are permitted to continue.

Repeated to Moscow as 4.

BERRY

740.00119 Control (Rumania)/1-745: Telegram

*The Secretary of State to the American Representative in Rumania
(Berry)*

WASHINGTON, January 10, 1945—2 p. m.

15. Reurtels 12, January 4 and 19 January 7.¹⁵ The Department has seen General Schuyler's ^{15a} telegram no. M-235 January 6 to War Department reporting his conversation with Vinogradov on the deportation of German inhabitants from Rumania to the Soviet Union.

The Department does not see any justification under the armistice terms for the proposed Soviet action, except perhaps in the case of those Germans who, because of their service in the German armed forces, may be prisoners of war. Others, because of their participation in Nazi organizations, may have been deprived of their Rumanian citizenship, but under the armistice they would be subject to internment as German citizens, not to deportation.

The Department recognizes that the Soviet High Command must be the judge of the danger to Allied military operations represented by actual or threatened sabotage and espionage on the part of these racial Germans. The Soviet High Command of course must provide for the security of its lines of supply, and can require the Rumanian Government to take necessary measures to that end. However, since there is no provision in the armistice agreement to justify the deportation to Russia of inhabitants of Rumania, the Department does not see how the proposed orders to the Rumanian Government could properly be issued in the name of the Allied Control Commission.

You are requested to suggest to General Schuyler that he inform Vinogradov that the United States Government had no prior knowledge whatever of this project, to which consequently the agreement of this Government could not have been given; that this Government is unwilling to consider this decision as in any way involving this Government, either in its responsibilities and rights under the armistice

¹⁵ Latter not printed; it reported that a Rumanian delegation headed by Prime Minister Radescu had called upon Vinogradov on January 6 to present the Rumanian case against the deportation of Germans of Rumanian nationality; Vinogradov denied that there would be a mass transfer of population but rather a labor draft of able-bodied persons for work in Russia to increase the war effort (740.00119 Control (Rumania)/1-745).

^{15a} Brig. Gen. Cortland T. Van R. Schuyler, Chief, United States Military Representation, Allied Control Commission for Rumania.

with Rumania, or in regard to the general question of transfers of population; and that if the orders are issued in the name of the ACC this Government would be obliged to make its position clear to the Soviet and British Governments, and also to the Rumanian Government.

This matter has been discussed with the War Department, which agrees that General Schuyler should consider the foregoing instructions as authorized under paragraph 4 of his letter of instructions.

The general questions of broader policy which are involved will be discussed in a subsequent telegram.

Sent to Bucharest, repeated to Moscow.¹⁶

STETTINIUS

[For the statements of policy regarding the question of the transfer of the German population from Czechoslovakia, see the following documents printed in volume IV, pages 420, 421, and 422: Memorandum by the Division of Central European Affairs, January 11, 1945, entitled "Summary, Czechoslovakia"; the annexed memorandum by the Division of Central European Affairs, January 11, 1945, entitled "Review of United States Policy Since 1933 Toward Czechoslovakia"; and the annexed memorandum by the Committee on Post-War Programs, numbered PWC-201a and dated July 18, 1944, entitled "Summary of Recommendations, Policy Toward Liberated States: Czechoslovakia".]

740.00119 Control (Rumania)/1-1345

The American Representative in Rumania (Berry) to the Secretary of State

No. 62

BUCHAREST, January 13, 1945.

[Received February 6.]

SIR: I have the honor to attach an English translation of the Note dated January 6, 1945¹⁷ addressed by General Vinogradov in the name of the Allied Control Commission to General Radescu, President of the Council of Ministers, in which he formally requests that all persons of German descent in Rumania within certain age classifications be mobilized for work wherever the Soviet High Command may direct. The operation of this request and the Rumanian reaction are also described in this despatch. The Rumanian Government protested strongly that the above order was beyond the scope of the armistice terms; that it would seriously disrupt the internal economy of the country; and that for humanitarian reasons this large scale labor

¹⁶ As telegram 59.

¹⁷ Not printed.

deportation to the Soviet Union should not take place. High Rumanian Government officials have made protests to General Vinogradov, Deputy Chairman of the Allied Control Commission, and a formal protesting memorial on the above lines was planned. However, the Soviet authorities at this date appear inflexible in executing the original demand.

Conforming to the dates contained in the Note, the Soviet authorities, through the Rumanian police, began wholesale roundups on January 10 of all Rumanians of German origin. The exact basis upon which the collection of deportees is made is not clear. A list compiled by the Rumanian authorities shortly after the *coup d'état* of August 23 with the cooperation of all persons of Saxon or Swabian origin is supposed to be the nominal basis. However, mere denunciation of people as being of German origin and the mere bearing of a German name have been sufficient to place persons in the deportee categories. Actual German citizens are being taken under the order; no distinction is being made between Germans and Austrians; Czech descended persons in some instances are being included; and the Foreign Minister barely prevented the interned German diplomatic personnel from joining the exodus. No exceptions appear to be made at this point, and university professors, government officials, soldiers actually on leave from the front, technicians, and other professions are included within the collections of deportees. The operations are being conducted with celerity. The families of any persons affected that are in hiding are being threatened by the Soviet authorities, and in some cases are being held until the wanted persons are found.

On January 11 some 2,000 people in Bucharest were loaded into non-heated box cars for transportation to Russia without regard for sanitation arrangements or comfort. Each person carried what food he could and these cars were locked and sealed. This office knows of one case of a woman being placed in a car with forty-five men. Departure scenes at the railway station, where the deportees were brought in trucks under armed guard, were tragic between parents and small children and between husbands and wives.

The population of Bucharest, and undoubtedly this is true of other cities in Rumania, is in a turmoil as the result of the forced transportation of the German minority, and rumors are circulating that the Hungarian minority is next for deportation, to be followed by those Rumanians against whom there may be some objection.

The Bucharest press, because of tight Soviet censorship restrictions, has been completely silent upon the matter and, in fact, it appears that the Communist Party within the National Democratic Front approves the deportation action. Peasant Party officials have

remained silent. Only *Viitorul*, the organ of the National Liberal Party, has made what may be termed an indirect "dignified protest". It published a front page editorial upon the great difference between the aims and ideals of the Axis and the United Nations. It compared the Axis philosophy of employing "violent action and the brutal violation of all the laws of humanity" with that of "the Allied defenders of democracy and liberty and of the traditions of European civilization". On January 11 *Viitorul* contained an editorial indirectly posing the present deportation problem as involving moral and political responsibility both for the United States and Great Britain.

According to the latest available Rumanian census figures of 1930, there were 745,421 Rumanians of German descent which is estimated as having remained virtually constant. In the ceded areas of Bessarabia, Bucovina and part of Dobrudja 157,000 of this German minority were removed from Rumanian jurisdiction. Although the number of civilians leaving with the Germans in the advance of Russian armies is impossible accurately to estimate, the most responsible official sources here claim that they can be said to number about 50,000. The area of Northern Transylvania that is not now under Rumanian administration contains about 55,000 persons of the German minority. With these deductions the official census figures are lowered to 483,421. Likewise, the Rumanian census estimates that 40 percent of the German minority population are within the age groups specified under the Allied Control Commission's Note. This would involve about 190,000 persons as being affected, but when a further deduction is made for approximately 50,000 young men that are claimed as having been enlisted or conscripted into the Waffen SS, it means that approximately 140,000 people of German origin in Rumania are now subject to deportation.

Respectfully yours,

BURTON Y. BERRY

740.00119 Control (Rumania)/1-1645: Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, January 16, 1945—9 p. m.

100. Department's infotels of January 6, 11 p. m.; January 12, 8 p. m.; January 13, 7 p. m.¹⁸ Deportation from Rumania of persons of German origin was the subject of a letter presented to Vinogradov by General Schuyler on January 12. Schuyler's letter, based on the Department's 15 January 10 to Bucharest repeated to you as 59,

¹⁸ None printed.

specifically stated the non-concurrence of the United States Government in the decision to deport Germans from Rumania and in the directive issued to the Rumanian Government in the name of the ACC. It also requested the cessation of the deportations until the matter could be fully discussed by the Soviet and United States Governments. Vinogradov replied that the contents of Schuyler's letter would be forwarded to Moscow, but that under his present instructions he could not halt the deportations.

Deportations from Bucharest began on January 10 and now appear to be nearly completed. The Department has no first-hand information on deportations from other parts of Rumania but it is reported that the total number of Germans to be deported is about 80,000. According to Soviet plans, all are to leave before January 20. Vinogradov told Schuyler that the majority of them would work in coal mines in the USSR.

Similar deportations are reported to be in progress in Bulgaria, Hungary and Yugoslavia. All persons of German origin or "race" within the specified age groups, regardless of citizenship, are included in the registration. In Bulgaria the registration orders were issued by Bulgarian officials apparently without a formal directive issued in the name of the ACC. The Department has no information on deportations from Hungary and Yugoslavia, except the report that in Hungary they are about two-thirds completed.

The Department's position on the deportations from Rumania was set forth in its 59, January 10. Further consideration of the matter here has led to the following conclusions in amplification of that position:

A. From information available to the Department it would appear that proposed draft of Germans is at least as much, if not more, a means of collecting reparation in form of labor services than a measure of security. Reasons are: 1, the intended use of deportees for Soviet reconstruction. 2, age limits of conscripts appear to have been chosen primarily with reference to ability to perform hard physical labor. Men and women over the ages of 40 and 30 respectively are fully as capable of sabotage and subversive political activity as younger persons.

B. There is no provision whatever in the Rumanian Armistice for reparation in the form of labor services and consequently no legal justification for demanding such services.

C. The Soviet argument that these people are Germans and must repair damage done by other Germans would make this question primarily a part of the reparation settlement with Germany, concerning

which there has yet been no detailed discussion or agreement. This Government will not necessarily oppose reparation by Germany in the form of labor services but it is firmly convinced that such questions should be decided only after full consultation and agreement among the Allied powers and not by unilateral action on the part of the Soviet Union as an incident to armistice terms made with satellite countries.

D. In respect to the Soviet contention that the German minority is engaging in extensive espionage, this Government of course recognizes the right of the Soviet High Command to take all reasonable security measures. As indicated above, however, it doubts that a convincing case can be made on security grounds for a "labor draft" for use outside Rumania, for reasons mentioned in A above.

E. The Department is considerably concerned over what may be American public reaction to the proposed step. In spite of assurances that all cases will be considered on their merits there is likely to be created a strong impression that the Soviets are engaging in an indiscriminate forced labor draft, taking innocent persons as well as those guilty of Nazi activities and breaking up families in the process. In this connection it is noted that no indication has yet been given of the basis on which conscripts are supposed to be screened.

The Department believes that this matter can hardly be pursued further in Bucharest without a direct approach to the Soviet Government in Moscow. You are accordingly instructed to notify the Soviet Government in writing that the United States Government reaffirm the position taken by General Schuyler in his letter to General Vinogradov, namely that it cannot associate itself with the proposed deportation nor with the directives issued in the name of the ACC on that subject, and that it may be necessary for reasons of public opinion to make this position public. You should use the points made in paragraphs B and C of this telegram as main justification of our position but in your discretion you may also use other arguments adduced herein. You should also emphasize that United States position on this question is without prejudice as to future attitude of this Government on question of German labor reparation, and that it implies no change in its attitude with regard to the treatment of war criminals. Sent to Moscow, repeated to Bucharest and Sofia.²⁰

GREW

²⁰ To Bucharest as No. 27 and to Sofia as No. 10.

740.00119 EAC/11-3044

*The Secretary of State to the Chargé Near the Czechoslovak Government in Exile (Schoenfeld), at London*²¹

No. 41

WASHINGTON, January 16, 1945.

In response to the note of November 23, 1944 from the Czechoslovak Ministry of Foreign Affairs (Mr. Ripka) transmitted with your despatch No. 218 of November 30, 1944,²² please deliver, if you agree, a note in reply in substantially the following terms:

"I am instructed by my Government to inform you that it has now received your note of November 23, 1944, regarding the desire of your Government to expel politically undesirable Germans from Czechoslovakia, and that it is giving the memorandum of the Czechoslovak Government, transmitted therewith, the thorough study which it requires. Meanwhile my Government desires to express the following preliminary views:

"The American Government fully appreciates the injuries suffered by Czechoslovakia at the hands of Germany and of the German minority during the past decade or so and is prepared to examine the problem in an effort to seek a satisfactory solution for the future. This solution, of course, will have to take into account the needs of Czechoslovakia referred to in your note, and also the broader aspects of the problem in its relation to general measures for the future peace and security of Europe as a whole, as well as the particular problem which will face the Governments accepting the unconditional surrender of Germany, which thereby become responsible, as occupying powers, for the control and administration of Germany.

"There will also undoubtedly arise related questions with regard to the transfer of Germans from other territories. Since this problem may therefore involve an aggregate of some millions of people, it would be a matter of major concern to the occupying powers in the maintenance of order in Germany during the absorption of such people

²¹ An undated informal memorandum for the Director of the Office of European Affairs, H. Freeman Matthews, apparently prepared by Ware Adams of the Division of Central European Affairs, attached to the file copy of this instruction, reads as follows:

"This is important. Mr. Riddleberger approved the rough draft before his departure and thought that in view of its importance you might wish to have it signed by Mr. Dunn, or possibly by Mr. Stettinius in view of his recent statement on the Polish question which involves a similar problem.

"This particular instruction is occasioned by a note, attached, in which the Czechoslovak Government formally notifies us of its intention to expel to Germany perhaps two million Sudetens in the expectation that we will arrange to have them received there without any change of Czechoslovakia's frontier. The note from the Czechoslovak Government is so worded that silence on our part will be taken to imply concurrence. Our reply is designed to forestall precipitate action.

"The Czech and Polish plans together contemplate throwing upwards of ten million new inhabitants into Germany during our occupation." (740.00119-EAC/11-3044)

The references in the memorandum are to Assistant Secretary of State James C. Dunn and the Chief of the Division of Central European Affairs, James W. Riddleberger.

²² Despatch not printed; for note of November 23, 1944, see p. 1227.

from abroad simultaneously with the repatriation or resettlement of millions of displaced persons now within Germany.

"The American Government therefore feels that transfers of the kind contemplated in your Excellency's note should only be carried out pursuant to appropriate international arrangement, as suggested in your Excellency's address of October 8, 1944, and under international auspices. It also agrees with the Czechoslovak Government that any process of transfer should be a gradual one, in order to provide facilities for the orderly settlement of transferred persons. Pending such international arrangements, the American Government feels that no unilateral action should be taken to transfer large groups, and understands from the statements cited above that the Czechoslovak Government does not envisage any unilateral action to do so."

Please inform the Department and Ambassador Winant²³ of the final text and date of your note to the Czechoslovak Ministry of Foreign Affairs,²⁴ and of any further developments concerning its subject, including any British or Soviet views which may come to your attention.

[File copy not signed]

Moscow Embassy Files : 840.1

The Deputy People's Commissar for Foreign Affairs of the Soviet Union (Dekanazov) to the Chargé in the Soviet Union (Kennan) ²⁵

Moscow, 28 January, 1945.

DEAR MR. CHARGÉ D'AFFAIRES : In reply to Mr. Harriman's letter of January 20, 1945²⁶ in which he set forth the position of the Government of the United States concerning the measures being taken by the Soviet military authorities with reference to Germans residing in Rumania, I have the honor to communicate to you the following :

The deportation from Rumania to the Soviet Union of a part of the German population which is taking place at the present time has no relation to the reparations problem and in particular to the question of the payment of reparations in the form of services as mentioned in your letter. This step also does not contemplate the reconstruction by the forces of the part of the German population sent to the Soviet Union of what was destroyed by the Germans on the territory of the

²³ John G. Winant, Ambassador in the United Kingdom.

²⁴ The Department's instructions were transmitted in note No. 155, dated January 31, 1945, from the Chargé Near the Czechoslovak Government in Exile at London to the Czechoslovak Minister for Foreign Affairs, Jan Masaryk. A copy of the note was transmitted to the Department by the Chargé as an enclosure to his despatch No. 236, January 31, 1945 (not printed).

²⁵ As translated by the Embassy.

²⁶ A letter along the lines set forth in Department's telegram 100, January 16, to Moscow, p. 1243, was sent to Foreign Commissar Molotov by Ambassador Harri-man on January 20.

Soviet Union. This measure aims to clear the rear of the Red Army of that portion of the population among which the Nazi Espionage Service developed a particularly thick and numerous network of its agencies. The Soviet Command was obliged to resort to this measure which has an exclusively military character as a result of circumstances dictated by military necessity.

Please accept [etc.]

V. G. DEKANAZOV

860F.4016/1-3145

The British Embassy to the Department of State

MEMORANDUM

The Czechoslovak Government communicated to His Majesty's Ambassador ²⁷ on November 23rd last a memorandum on the problem of the German minority in Czechoslovakia, setting out in detail their proposals for the transfer of Sudeten Germans from Czechoslovakia after the war. It is understood that copies of this memorandum have also been addressed to the representatives in London of the United States Government, the Soviet Government and the French Provisional Government and to the European Advisory Commission. The Czechoslovak Government have invited the comments of His Majesty's Government on these proposals.

The Czechoslovak Government's proposals are related to many other aspects of the whole post-war settlement with Germany upon which final decisions have not yet been reached, and His Majesty's Government find it difficult to deal with them in isolation. His Majesty's Ambassador to Czechoslovakia has accordingly been instructed, in thanking the Czechoslovak Government for their communication, to inform them that His Majesty's Government have been interested to receive these proposals which they are studying with care and sympathy. The Czechoslovak Government's memorandum, however, raises very important issues in connexion with the whole German settlement and His Majesty's Government do not feel able to offer any observations until they have discussed these questions with their principal allies. For the time being, therefore, His Majesty's Government must reserve their attitude in regard to the Czechoslovak Government's proposals.

The British Embassy have been instructed, in informing the Department of State of the foregoing, to add that His Majesty's Government consider that the European Advisory Commission would be the most

²⁷ Philip Bouverie Bowyer Nichols, British Ambassador to the Czechoslovak Government in Exile at London.

suitable forum in which to discuss these proposals when the Governments concerned are ready to begin such discussions.

A similar memorandum is being communicated to the French and Soviet Governments.

WASHINGTON, January 31, 1945.

[President Roosevelt, British Prime Minister Winston Churchill, with their advisers, met in conference at Malta, January 30–February 2, 1945, and President Roosevelt, Prime Minister Churchill, and the Chairman of the Council of People's Commissars Iosif Vissarionovich Stalin, with their advisers, met in conference at Yalta, February 4–11, 1945. For documentation of these Conferences relative to the question of the expulsion of German populations from Polish territory, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945, pages 220, 227, 232–234, 509, 510, 717, 720, 725–726, 869–870.]

S60F.01/4–1845 : Telegram

The Chargé in the Soviet Union (Kennan) to the Secretary of State

Moscow, April 18, 1945—7 p. m.

[Received April 18—6 : 40 p. m.]

1243. Desire of Beneš²⁸ to announce upon his return to Czechoslovakia transfer of German minorities was subject of note dated April 11 from British Ambassador²⁹ to Molotov.³⁰ Clark Kerr stated Beneš in London did not dispute British view that final decision on German minorities should await agreement on entire German settlement among major allies. Churchill and Eden³¹ told Beneš that American, British and Soviet Governments had not yet achieved agreement on German question and that if he felt he must issue statement it should be evident that it was no more than his proposal.

Beneš had, however, on his recent visit here³² told Clark Kerr that he had received the assent of the Soviet Government to the expulsion from Czechoslovakia of about two-thirds of Hungarian and German minorities. Embassy inquires whether this was so and did Russians give Beneš impression that Beneš might announce Soviet attitude.

²⁸ Eduard Beneš, President of Czechoslovakia.

²⁹ Sir Archibald Clark Kerr.

³⁰ Vyacheslav Mikhailovich Molotov, People's Commissar for Foreign Affairs of the Soviet Union.

³¹ Anthony Eden, British Secretary of State for Foreign Affairs.

³² President Beneš visited Moscow from March 17 to March 31, 1945. For documentation regarding the visit, see vol. iv, pp. 427–433. In his telegram 866, March 22, 9 p. m., *ibid.*, p. 427, the Ambassador in the Soviet Union reported on a conversation with President Beneš during which the subject of the expulsion of minorities from Czechoslovakia was raised.

British hoped Russians could admonish Beneš not to act prematurely and drastically in matters which would complicate German issues which Soviet and British Governments will have to deal with.

Sent to Department as 1243, repeated to London as 163.

KENNAN

860F.01/4-2145

*Mr. Hubert Ripka*³³ *of the Czechoslovak Ministry for Foreign Affairs to the Chargé Near the Czechoslovak Government in Exile (Schoenfeld), at London*³⁴

No. 4285/c/45

LONDON, April 20, 1945.

EXCELLENCY: The American armies have victoriously fought their way in an irresistible advance through Germany as far as the western frontiers of the Czechoslovak Republic, where they are beginning to liberate Czechoslovak territory from the grip of the enemy. I need hardly tell you with what feelings of gratification this news is received by every loyal Czechoslovak citizen.

The American armies are reaching the territory of a friendly State, but I regard it as extremely important both from the Czechoslovak and the Allied point of view to emphasize the fact that, as you know, the Czechoslovak frontier area, which the American troops are now entering, is inhabited mainly by a German-speaking population, and these people, though Czechoslovak citizens, are, as regards their political sentiments, with the exception of an insignificant minority, thoroughly permeated by Nazism and Pan-Germanism. It is a matter of common knowledge that this German population, in the period before Munich, was dominated almost in its entirety by Konrad Henlein, the leader of the Nazi Party in the Czechoslovak Republic and later the Gauleiter of the so-called Sudetengau, i.e. a part of Czechoslovak territory which, after Munich, was declared by Germany as having been annexed. In this respect, it is enough to mention that in 1935, 67% of these so-called Sudetic Germans voted for the Nazis, and in 1938 more than 90%. During the war they were among the most active adherents of Nazism, of Germany and of the struggle against the Allied nations and against the liberation of the Czechoslovak Republic.

³³ While most officials of the Czechoslovak Government in Exile had departed from London for Czechoslovakia by the beginning of April 1945, various Ministries including a skeleton staff at the Czechoslovak Foreign Ministry under Minister of State Hubert Ripka remained in London to finish pending matters before returning to Czechoslovakia. When a new Czechoslovak Provisional Government was named by President Beneš at Kosice on April 4, Ripka was named Minister of Trade, but he did not leave London for Czechoslovakia until May.

³⁴ Copy transmitted to the Department by the Chargé as an enclosure to his despatch No. 270, April 21; received April 28.

lic, and they were the most relentless persecutors of loyal Czechoslovak citizens, including those whose native language is German.

It would be contrary to all principles of what is right and proper if these Germans of Czechoslovakia were regarded by the Allies as people deserving the treatment which should be accorded only to the loyal citizens of an Allied State.

The Czechoslovak Government regards the bulk of these Germans as an element dangerous to the State, and in its proclamation of April 4, it defined its policy towards them as follows:

"The terrible experience suffered by the Czechs and Slovaks at the hands of the German and Hungarian minorities will compel Czechoslovakia, when restored, to take far-reaching action against the guilty. Loyal German and Hungarian citizens who proved their fidelity to the Republic even in the most difficult times will be unaffected. The Czechoslovak citizenship of Germans and Hungarians will be confirmed only in the case of anti-Nazis and anti-Fascists who fought for Czechoslovakia before Munich and who, after March 15, 1939, were persecuted for their fidelity to Czechoslovakia, or who had to escape abroad, where they participated in the struggle for the restoration of Czechoslovakia.

The Czechoslovak citizenship of other Czechoslovak German and Hungarian citizens will be annulled. They may again opt for Czechoslovakia, but in this connection the Czechoslovak authorities will have the right to make decisions in each individual case. Condemned transgressors, if not sentenced to death, will be exiled from the Republic. The Government regards it as its duty to punish all war criminals, traitors and conscious active helpers of the German and Hungarian oppressors. The Government will carry out its task without hesitation or indulgence towards anybody."

I regard it as necessary to add to the above statement that the Czechoslovak Government also cannot regard as a loyal citizen any of those who, though residing in freedom abroad, did not act in a manner becoming a Czechoslovak citizen. I am thinking mainly of the group of so-called Sudetic Germans headed by W. Jaksch, a former Social Democratic deputy of the Czechoslovak Parliament, and I regard it as my duty to draw particular attention to this group. Although until 1938 and during the Munich crisis W. Jaksch maintained a very loyal attitude towards the Czechoslovak State, he radically changed his political trend during his residence abroad, and closely approximated to the doctrines of Pan-Germanism. Indeed, he went so far as to urge Germans from Czechoslovakia residing abroad not to fulfil their duties in the Czechoslovak Army. This policy of his which was incompatible with his duties as a Czechoslovak citizen caused a considerable part of his followers to break away from him, as they were determined to fulfil to the utmost their duties in the Czechoslovak struggle for liberation.

It is natural that W. Jaksch and those who manifested sentiments like his cannot be regarded by the Czechoslovak Government as satisfactory Czechoslovak citizens. The Czechoslovak people who, after what they have suffered at the hands of the Germans are naturally very sensitive in these matters, will also take a very critical view of those persons who failed to fulfil their duties in the struggle for liberation, who flagrantly neglected such duties or who even did what they could to sabotage the struggle for the liberation of Czechoslovakia.

In drawing attention to this circumstance I wish to say that I should be very grateful if you would be good enough to express, wherever necessary, the wish which I am expressing on behalf of my Government, that none of the so-called Sudetic Germans now living in freedom abroad, should be permitted, without the consent of the responsible Czechoslovak authorities, to enter Czechoslovak territory or to take up any occupation there in a political, administrative or similar function. It is only by means of close co-operation in this matter that, I think, it will be possible to avoid errors or misunderstandings susceptible, now or later, of causing political results of a highly undesirable kind, which, however, could be averted by the solution which I suggest.

Accept [etc.]

HUBERT RIPKA

740.00119 EAC/6-2045

*The London Representatives of the Sudeten German Social Democratic Party to the Ambassador in the United Kingdom (Winant)*³⁵

LONDON, 7 June, 1945.

DEAR MR. AMBASSADOR: We take the liberty of drawing your attention to the disturbing reports from Czechoslovakia on the wholesale expropriation and expulsion of four million minority citizens of German and Hungarian stock. Recent announcements of the Prague Government have made it unmistakably clear that the racial minorities of Czechoslovakia, one third of the total pre-Munich population, are now being subjected to an administrative and military campaign of indiscriminate retribution.

We, the undersigned parliamentary representatives of the strongest loyalist party within the Sudeten population, the Social Democratic Party, are naturally much concerned with the fate of our former con-

³⁵ Copy transmitted to the Department by the Ambassador in his despatch 23803, June 20; received June 25. In response, telegram 5362, July 2, 5 p. m., to the Ambassador read as follows:

"No further action desirable at this time on letter of Sudeten German Social Democratic Party. Similar letter addressed to President was not acknowledged." (740.00119 EAC/6-2045)

stituents. On the occasion of the cancellation of the Munich Agreement by the Government of the United Kingdom in August 1942³⁶ we took the liberty of sending the following cable to Mr. Cordell Hull, the Secretary of State:

The undersigned freely elected parliamentary representatives of 300,000 democratic Sudeten Germans are alarmed by Mr. Eden's statement that the Munich Agreement is void without safeguarding the minority rights in a new Czechoslovakia. This decision has been made without consulting the legitimate representatives of the democratic Sudeten Germans. In our view it is dangerously prejudging the future political organisation of Central Europe. We hope that the great American Democracy will not abandon the principles of the Atlantic Charter nor disappoint the confidence of our martyrs of freedom.

Wenzel Jaksch, Eugen de Witte, Franz Katz.

Unfortunately, our apprehensions have meanwhile been substantiated. As the attached extracts show beyond doubt the lack of any provisions for minority protection under the transitory measures agreed by the principal Allies has already resulted in a tragic development in Czechoslovakia. The fate of millions of members of the national minorities is being settled by a *fait accompli*. They are being treated worse than war criminals, who are not denied the benefit of hearing and fair trial. Retribution is being meted out to guilty and innocent alike. According to official evidence from Prague no exception is made even for former members of loyalist minority parties who have been exposed to Gestapo persecution ever since October 1938.

While we ourselves are deprived of our constitutional rights as members of Parliament by the present Czechoslovak Government we feel impelled to request some measure of inter-allied protection for the minority populations of Czechoslovakia. We do not, of course, include those criminals who have in fact been guilty of offences against both the Czech and Sudeten populations.

We have addressed this appeal to you, Mr. Ambassador, as the American Representative both in this country and on the European Advisory Commission. We much regret the necessity of troubling you amid the stress of your other work, but in view of the imminent danger of terrible loss of life and suffering which a continuation of the present situation in Czechoslovakia must involve we venture to ask for a brief interview with you at as early a date as may be possible.

Yours very truly,

WENZEL JAKSCH
EUGEN DE WITTE
FRANZ KATZ

³⁶ For the exchange of notes between the United Kingdom and the Czechoslovak Republic concerning the policy of the United Kingdom in regard to Czechoslovakia, London, August 5, 1942, see *British and Foreign State Papers*, vol. CXLIV, p. 986.

800.4016 DP/5-2145: Telegram

*The Acting Secretary of State to the American Representative in Hungary (Schoenfeld)*³⁷

WASHINGTON, June 14, 1945—7 p. m.

96. Your A-7, May 21.³⁸ Re proposed expulsion from Hungary of German-speaking minority Brit Embassy here reports Hungarian PriMin³⁹ as telling Gascoigne⁴⁰ that "in accordance with wishes of Russians approximately 340,000 out of total of 540,000 would be expelled to Germany as soon as possible", alleging these 340,000 had been traitors to Hungary.

Brit Govt has instructed Gascoigne to inform Hungarian Fonoff that any application to make arrangements for receiving these people in Germany must eventually be made to Control Council there, and that latter will no doubt have other tasks of greater urgency, execution of which would be prejudiced by any early attempt to carry out Hungarian Govt's proposal.

Dept has no desire to be solicitous on behalf of a group probably largely made up of Nazis. We believe however that considerations set forth in Deptel 70 June 4⁴¹ apply to proposed mass expulsion of Germans and you may inform Hungarian Govt accordingly. You may add that we would naturally be concerned over possible added burden which such population transfers would impose on relief, transportation and other activities for which Allied Govts share responsibility; also that such action could presumably be taken only with consent of ACC in Hungary and of Allied Control Council in Germany.

GREW

740.00119 Potsdam/6-1845

*Memorandum by the Director, Office of Strategic Services (Donovan),
to President Truman*

WASHINGTON, 18 June, 1945.

We have made a study of the problems created for the Allied powers occupying Germany by the return of the Sudetenland to

³⁷ H. F. Arthur Schoenfeld on January 20, 1945, was appointed United States Representative in Hungary with the personal rank of Minister.

³⁸ Not printed; it gave a résumé of an editorial in the Budapest newspaper *Szabad Nép* of May 17, 1945, regarding the deportation of the German minority from Hungary (800.4016 D.P./5-2145).

³⁹ Gen. Bela Miklos.

⁴⁰ Alvary Douglas Frederick Gascoigne, British Political Representative in Hungary, with the rank of Minister.

⁴¹ Vol. iv, p. 928.

Czechoslovakia. In order to save you time in going over the entire report, the following is presented as a summary:

Re-establishment of the former Czechoslovak frontier will create a number of problems affecting several parties—Czechs, Germans, Sudetenlanders, and the occupying powers. These problems will be outwardly largely of a technical nature, having to do with the transfer of property and of elements of the population. They have, however, their political side, which under the force of circumstances may easily assume serious proportions. The underlying causes of the political factors are found in the history of the Sudetenland under the Czechs (1918–1938) and since the German occupation (1938). The purpose of this paper will be (*a*) to recall briefly the main features of this history, and (*b*) to indicate the types of problems arising out of the Sudetenland situation with which the powers occupying Germany may be confronted.

The problems of particular concern to the occupying powers constitute but one part of the whole picture, every feature of which is colored by the fact that the Sudetenland is a political pressure area. The nature of the country, the distribution of the population, the mixture of ethnic groups with different political, social, and cultural loyalties, have given a distinctive imprint to the history of the country. To the complications of the past, German occupation has added six years of economic exploitation, the conscription of Sudetenlanders into the German Army, the removal of Sudeten workers to the Reich, and the immigration of Germans from bombed areas in the West. There are a number of proponents or plans for dealing with the situation: a Czech Government-in-Exile, refugee political groups, political elements at home and the principal Allied belligerent powers. It is against the political background created by such conditions that the frontier will be re-established, the local government changed, the former allegiance restored.

These changes will create problems on various levels. Determination of the frontier is primarily a problem of decision for the Allied governments or for the authorities who determine the conditions for cessation of hostilities and peace and who will secure the observance of those conditions. Then there are the problems primarily for the German and Czechoslovakian States relating to any conventions or other agreements they may enter into to implement a treaty, to regulate transfers of property, and the like. In this respect it may be borne in mind that the interests of the German State will for a period be represented by the occupying powers, and those of the Czechoslovakian State, if not represented by others, will be at least strongly influenced by USSR support. Finally, there will be problems on the

local level arising out of the new arrangements, relating to the enforcement of the decisions of higher authorities and to easing the disruption of local life occasioned by such great changes.

The occupying powers may be partly involved in all of such problems, insofar as they may be asked to give assistance, in the demarcation of the frontier, for example, or may enter into provisional arrangements as one of the authorities temporarily exercising the functions of the German State. The problems which will be peculiarly their concern, however, are those on a local level, on the solution of which peace and order and the economic existence of the local communities may in some measure depend. In this connection the problems arising on the German side of the frontier will probably be much less troublesome than those on the Czech side. Nevertheless, problems will arise on the German side; repercussions will be felt; and the solution of numerous difficulties will depend upon collaboration between the authorities on both sides. These problems may be grouped under the following headings:

- A. Transfer of sovereignty;
- B. Change of nationality and minority problems;
- C. Protection of individual rights;
- D. Economic and technical problems

From the consideration of these problems, two things stand out: (1) the advisability of some sort of preliminary agreement between Czechoslovakia and the Allied powers dealing with the Sudetenland question; (2) the advisability of having whatever arrangements with Czechoslovakia undertaken by the tripartite authorities rather than the zonal authorities.

One of the most difficult problems will be that arising out of the Czech Government's expressed intention of expelling large numbers of the Sudeten Germans. In this matter the interests of Czechoslovakia and the occupying powers may collide. The Czechs have an interest in expediting this expulsion as much as possible; it would reflect popular feeling against the Germans and would present the occupying powers with a *fait accompli*. It might be to the interest of the occupying powers, on the other hand, to avoid or postpone such large-scale transfers of population in order not to be burdened with this additional responsibility. Considerable difficulties might be avoided by a preliminary agreement upon the question between Czechoslovakia and the occupying powers for Germany and Austria whose zones border on Czechoslovakia—the USSR, Great Britain, and the United States.

In a great many situations, complications will be obviated if agreements are reached on the level of the tripartite rather than the zonal

authorities. The problem is that of avoiding the development of one situation in the USSR zone, another in the British, a third in the American; such as might occur, for example, if one zone refused to admit expelled Sudetenlanders, with the consequence that the entire flow was channelled into the others.

WILLIAM J. DONOVAN

SG4.4016/6-1945

*The American Representative in Hungary (Schoenfeld) to the
Secretary of State*

[Extract]

No. 58

BUDAPEST, June 19, 1945.

[Received June 28.]

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I beg leave to add that at the time of my conversation with Dr. Gyöngyösi⁴² today, when he handed me the note above-mentioned,⁴³ I took the opportunity to speak to him in the sense of the Department's telegram Number 96 of June 14, 1945 regarding the proposed treatment of members of the German minority in Hungary.

The Minister stated that the Hungarian Government had no intention of dealing with this matter otherwise than by agreement with the Allies; there was no intention for the present of transferring to Germany any large group from the German minority here. The Hungarian Government recognized that this was a matter for consideration jointly by the Allies and Hungary. Such consideration would be facilitated, as the Minister hoped, by the early establishment of diplomatic representation on behalf of the Hungarian Government not only at the principal Allied capitals but also in states contiguous to Hungary. Having in mind the statement quoted in the Department's telegram Number 96, I mentioned to the Minister that according to some reports 340,000 persons were involved in the alleged proposal to expel Germans from Hungary. The Minister said that this figure was greatly exaggerated and that probably no more than 200,000 Germans in this country were involved.

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Respectfully yours,

H. F. ARTHUR SCHOENFELD

⁴² Janos Gyöngyösi, Hungarian Minister for Foreign Affairs.

⁴³ Note of June 19, 1945, from the Hungarian Minister for Foreign Affairs to the American Representative in Hungary; see telegram 143, June 12, from Budapest, and footnote 18, vol. iv, p. 931.

860F.4016/6-2845

The British Embassy to the Department of State

Ref: 512/15/45

PARAPHRASE OF TELEGRAM FROM FOREIGN OFFICE TO WASHINGTON
DATED JUNE 22ND, 1945

My immediately following telegram ⁴⁴ contains text of instructions I proposed sending to Mr. Nichols. But before despatching these I am anxious to know the views of the State Department. Please discuss these draft instructions with State Department and let us have any comments they have to make as soon as possible. You should point out that we recognise that the matter in its immediate aspect concerns the Americans more closely than ourselves since they occupy at present a large part of Czechoslovakia and also their zone of occupation in Germany marches for many miles with the Czech frontier.

2. It is in our view important that we should make clear to the Czechs that it will be for the Allied Control Commission in Germany, when the main questions of principle have been decided between the Governments, to decide when and by what stages German minorities outside the frontiers of Germany can be admitted into that country. This question will affect the general administration of Germany far more closely than that of the repatriation to Germany of Reich Germans now in Czechoslovakia, which according to His Majesty's Ambassador in Prague is in the Russian view a matter for the Control Commission to decide.

3. It seems to us that a full exchange of views with the Americans on the whole question of transfers of ethnic minority groups in Europe is desirable, with special reference to United States proposals ⁴⁵ as reported in Prague telegram No. 44.⁴⁶ Such an exchange of views might lead up to tripartite discussion on the subject at the forthcoming meeting of the "Big Three".⁴⁷ Will you sound the State Department on the latter proposal and let us know their reactions to it?

⁴⁴ Although the text of the message referred to was apparently made available to the Department of State (see memorandum to the British Embassy, July 11, p. 1262), it has not been found in Department files.

⁴⁵ Apparently reference is to the American proposal that the Governments of the United States, the United Kingdom, and the Soviet Union make a common approach to the Czechoslovak and Yugoslav Governments on the question of the expulsion of Hungarians from Czechoslovakia, Yugoslavia, and Rumania into Hungary. See telegram 4462, June 4, 7 p. m., to London, repeated to Moscow as No. 1216, vol. iv, p. 929. For documentation regarding the interest of the United States in the transfer of Hungarian populations from Czechoslovakia and Yugoslavia, see *ibid.*, pp. 928 ff.

⁴⁶ i.e., from the British Embassy in Praha to the Foreign Office. No copy found in Department files.

⁴⁷ Reference is to the conference in Berlin between President Truman, British Prime Minister Churchill, and Generalissimo Stalin.

4. We have now been approached by the United States Embassy on the lines anticipated in Prague telegram No. 44. They are being informed of the instructions sent to you in this and my immediately following telegram.

WASHINGTON, June 28, 1945.

864.00/6-2745 : Telegram

*The American Representative in Hungary (Schoenfeld) to the
Secretary of State*

BUDAPEST, June 27, 1945—10 a. m.
[Received 8:15 p. m.]

221. From government source it is learned that no measures have yet been taken by Hungarian authorities to deport Swabs.⁴⁸ Russians have deported Hungarians with German names in Trans-Tisza region and from environs Budapest during the last 4 months. Number probably does not exceed 30,000. National Land Reform Council has considered Swab question in relation to land reform, and in the county of Baranyai Swabs in 11 villages were dispossessed and approximately 20,000 interned in camp near Bonyhad. Office of Public Welfare in Ministry of Interior now charged with handling of these matters has recently ordered the camp's dissolution.

Swabs have been divided into four categories: (1) Leading members of Volksbund⁴⁹ and SS⁵⁰ whose property will be confiscated and who will be interned and eventually deported. (2) Ordinary members of Volksbund whose property will be confiscated but who will be moved into houses formerly occupied by those in category 1. They will work on public labor but will receive wages. (3) Swabs who supported Fascist ideas and will be transplanted within the frontiers. (4) Swabs who will suffer no restrictions.

Political behavior of Swabs will be judged individually by court of three consisting nominee from Office of Public Welfare having qualifications of judge, a local Hungarian, and Swab, who will be nominated by local Land Claimant Committee. With one exception noted, no internment has been ordered though political police have arrested number of Swabs but for political conduct only. Swabs have been transplanted in following communities: Urom, Pilisborosjeno, Sorok-sar, Taksony, and Budaors. In Budaors 600 persons were moved to

⁴⁸ The Germans in Hungary are usually called Swabians or Swabs.

⁴⁹ Volksbund der Deutschen in Ungarn, recognized representative body of the German minority in Hungary; carried on pro-Nazi activity during World War II.

⁵⁰ Schutzstaffel, élite corps of the Nazi Party, used for military and political purposes.

houses of friends and relatives. In general, measures are taken after individual consideration and not collectively. Certain counties have tendency to handle the Swab question more radically and in disregard of measures taken by government authorities.

Official sources state no large deportation of Swabs will take place inasmuch as country is in need of manpower to replace the Jewish deportations. Some 250,000 out of original German population of 540,000 would be subject to deportation as members of Volksbund. According to information now available probably not more than 20% this number will eventually be removed from the country.

SCHOENFELD

860F.4016/6-2845 : Telegram

The Chargé in Czechoslovakia (Klieforth) to the Secretary of State

PRAHA, June 28, 1945—6 p. m.

[Received July 1—11:55 a. m.]

44. Regardless of the importance and gravity of Zecho-Russian relations, the outstanding issue in Zecho, on which the country's reconstruction depends, is solution of the minority problem involving transfer to Germany and Hungary of about three million Czech nationals who constitute 20% of the country's population.⁵¹ Replacement of minority people by approximately the same number of Czechos, 90% of whom will have to be uprooted and transferred, constitutes the second and related phase of this problem. Transfer and replacement of minorities will involve 40% of Zecho population.

Zecho Govt realizes that transfers must be undertaken in agreement with the Allied Govts. However it is essential that the earliest possible agreement be reached in this matter. All reconstruction is makeshift until the transfer problem is solved. The people of Zecho demand an early solution or at least an agreement outlining the proposed stages of the transfer and, most important of all, the time envisaged to complete the operation. This problem unsolved presents the greatest danger to President Beneš' prestige. The possibility cannot be excluded that the situation affords opportunity for a dramatic leader with radical support to arouse the people and seek solution by force, on the model of similar action elsewhere in Europe after 1918.

KLIEFORTH

⁵¹ For a report on President Beneš' remarks to the Chargé in Czechoslovakia regarding the urgency of deporting the Sudeten Germans, see telegram 3318, June 5, 7 p. m., from Paris, vol. IV, p. 455.

840.4016 DP/7-545

The Czechoslovak Under Secretary of State for Foreign Affairs (Clementis) to the American Chargé in Czechoslovakia (Klieforth) ⁵²

7359/II/S/1945

PRAHA, July 3, 1945.

MONSIEUR LE CHARGÉ D'AFFAIRES: On behalf of the Czechoslovak Government I have the honour to make the following communication:

Prior to the cessation of hostilities the President of Czechoslovakia and the Czechoslovak Government submitted to the Allied Governments a detailed memorandum accounting for the political necessity to evacuate a predominant part of the German and Hungarian population out of this country.

In this way, they acted as interpreters of elemental and unanimous wishes of the Czech and Slovak nations, who, anxious about the future of the State, entertain the desire to exclude from their midst any elements, that proved by their attitude to have been propagators of national hatred, willing instruments of hostile propaganda and instigators of dissension among States. The ultimate phase of the struggle for liberation strengthened in the Czechoslovak people the conviction that without the removal of a great majority of Germans and Magyars, by the way of transfer, no sound and peaceful development of our State and no lasting peace and stability in Central Europe could be secured.

The proposals contained in the aforesaid memorandum met with agreement, that is to say, no particular objection in principle has been raised. It has merely been pointed out by all our Allies that the transfer must proceed on organised lines, according to plan and in accord with relevant allied bodies. In view of the fact that in this transfer 2 to 2½ a million of Germans and approximately 400.000 Magyars are involved, the Czech Government came to the conviction that it is indispensable to carry out this scheme according to plan and on organised lines. The Czechoslovak Government is preparing a plan and a proper organisation of the transfer.

As to the transfer of Germans out of Czechoslovakia, the Czechoslovak Government would suggest that the Great Powers, performing the control over Germany, determine in accord with the Czechoslovak Government the number of people to be transferred into the respective zone of occupation and within fixed intervals. The technical execution of the transfer could be secured by the mediation of Czechoslovak coordinating missions, to be attached to the headquarters of each zone of occupation.

⁵² Copy transmitted to the Department by the Chargé in his despatch 42, July 5; for text of despatch, see *Foreign Relations, The Conference of Berlin (The Potsdam Conference)*, 1945, vol. I, p. 225.

In respect of the transfer of the Magyars, the delegate of the Czechoslovak Government could discuss this question with the Control Commission in Budapest, to the effect that a major part of the transfer of the Magyar population out of Slovakia could be carried out on the basis of exchange of population, for there are approximately 345,000 Slovaks living in Hungary, who are desirous to be moved into Slovakia.

As stated above, the Czech and Slovak nations consider unanimously the transfer of Germans and Hungarians an essential necessity for the future of the Czechoslovak State and for the preservation of peace in Central Europe. It is, therefore, obvious that the attention of the entire Czechoslovak public opinion is drawn to this question, which is undoubtedly the most burning of all problems, the solution of which the Czechoslovak Government is endeavouring to attain. Any postponement of its settlement cannot but considerably disquiet all Czech and Slovak population.

As long as this elemental problem is not solved, all administrative, economic and social reconstruction and consolidation of the State is being hampered and delayed.

I should, therefore, Monsieur le Chargé d'Affaires, feel very grateful if you would convey this point of view of the President of the Czechoslovak Republic and of the Czechoslovak Government to the President Truman so as to make this question an object of discussion and decision for the coming conference of the Three.

A similar note is being addressed to representatives of the Governments of Great Britain and USSR.

Accept [etc.]

DR. V. CLEMENTIS

860F.4016/6-2845

The Department of State to the British Embassy

MEMORANDUM

The Department of State has considered the telegram of June 22, 1945 (512/15/45) from the Foreign Office to the Embassy and the draft instructions to Ambassador Nichols in Praha (6652, June 22, 1945⁵³).

The views of the United States with regard to the transfer of minorities from Czechoslovakia were made known to the Czechoslovak Government on January 31, 1945, in answer to its note of November 23, 1944, in the following terms:

[Here follow paragraphs 2, 3, and 4 of the quoted portion of instruction No. 41, January 16, to the Chargé near the Czechoslovak Government in Exile at London, printed on page 1246.]

⁵³ Not found in Department files.

Inasmuch as there has been no reason to alter these views since they were communicated to the Czechoslovak Government, the Department of State is in agreement with the draft instructions to Ambassador Nichols that the determination of the method and timing of the repatriation of the Reich Germans now in Czechoslovakia and the transfer of the German minority in Czechoslovakia must be left to the Allied Control Council in Germany.

Since the receipt of the Foreign Office telegram, a note, dated July 3, 1945, has been received from the Czechoslovak Government stating that, since the Allied States had made no objection in principle to the proposed transfer of the German and Hungarian minorities, the Czechoslovak Government was preparing a plan for an organised and orderly transfer.

The Department's reply ⁵⁴ to the Czechoslovak note reiterates the views of the United States, as set forth above, and requests the Czechoslovak Government to bring its plan for the repatriation of Reich Germans and the transfer of the minorities immediately to the attention of the Allied States represented on the Control Council in Germany and the Control Commission in Hungary through the appropriate Czechoslovak Coordinating Missions attached to these bodies.

The Department of State believes that an exchange of views on the whole question of the transfers of ethnic minority groups in Europe is not required at this time in view of the clear statements of policy by the British and American Governments, and could be deferred pending a possible discussion of this question at the forthcoming tripartite conference.

WASHINGTON, July 11, 1945.

860F.4016/7-445 : Telegram

*The Acting Secretary of State to the Chargé in Czechoslovakia
(Klieforth)*

WASHINGTON, July 13, 1945—7 p. m.

54. Urtel 44 June 28 and 59 July 4.⁵⁵ Please deliver note along following lines to Zecho Govt:

US Govt acknowledges receipt of Zecho note of July 3 concerning transfer of German and Hungarian minorities. US Govt has already made its views known to Zecho Govt in note of Jan 31, 1945.^{55a} At that time US Govt stated it fully appreciated injuries suffered by Zecho

⁵⁴ See telegram 54, July 13, 7 p. m., to the Chargé in Czechoslovakia, *infra*.

⁵⁵ Latter not printed; it transmitted text of the note of July 3 from the Czechoslovak Under-Secretary of State for Foreign Affairs to the American Chargé in Czechoslovakia, p. 1261.

^{55a} See instruction No. 41, January 16, to the Chargé near the Czechoslovak Government in Exile, p. 1246.

at hands of Germans and German minority during past decade and was prepared to examine question in effort to arrive at satisfactory solution. US pointed out that solution will have to take into account broader aspects of problem in relation to future peace and security in Europe as well as particular problems facing Govts responsible for military occupation in Germany.

In view of importance of questions of minority transfers for European peace as a whole, US Govt believes that transfers as proposed in Zecho notes Nov 23, 1944 and July 3, 1945 should be carried out only on organized lines and in accordance with international agreement. US also appreciates importance attached by Zecho Govt to early solution of problem as basis for national rehabilitation and reconstruction. Therefore US Govt is gratified that Zecho Govt is preparing plan for organized transfer of minority population which will take into account particular problems facing Allied powers. If plan is presented immediately upon completion to Control Council Germany and Allied Control Commission Hungary, US Govt confident it will receive immediate consideration by states represented on these bodies and will be discussed with appropriate Zecho authorities. End of summary.

For your background information and possible informal communication in your discretion to Pres Beneš, US delegation to Big Three briefed to discuss this question in relation to whole minority problem.⁵⁶

GREW

[From July 17 to August 2, 1945, President Truman, British Prime Minister Churchill (later, Prime Minister Attlee), and Generalissimo Stalin and their advisers met in conference in Berlin. For the record of the Conference as regards the transfer of German populations from Poland, Czechoslovakia, and Hungary, see *Conference of Berlin (Potsdam)*, volume II, pages 210-215, 218-221, 248, 262, 333, 335, 383-391, 398-400, 402, 523-524, 536-537, and 539. For Conference documents relative to the problem of the transfer of German populations, see *ibid.*, volume I, page 643 and volume II, page 1035. For the decisions of the Berlin Conference regarding the transfer of German populations, see the Protocol of the Proceedings of the Berlin Conference, August 1, 1945, section XIII (XII), *ibid.*, volume II, page 1495, and the Report on the Tripartite Conference of Berlin, August 2, 1945, *ibid.*, page 1511.]

⁵⁶ See Briefing Book Paper entitled "Czechoslovakia: Expulsion of Minority Groups", dated June 23, 1945, prepared by the Department of State for the background information of the United States delegation to the Conference of Berlin, *Conference of Berlin (Potsdam)*, vol. I, p. 643.

840.4016/7-2745 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, July 27, 1945—3 p. m.

[Received July 28—4:50 p. m.]

117. Acting Foreign Minister ⁵⁷ informally let me know that Russians have agreed "to take" about one million of the Sudeten Germans as soon as their expulsion from the country is possible. He also expressed as his personal opinion that defeat of Churchill ⁵⁸ may injure Czechoslovak interests in general as Labor Party protected German Sudeten Social Democrats and opposed legitimate national aspirations and territorial demands of Czechoslovakia.

STEINHARDT

740.00119 Potsdam/7-3145 : Telegram

The Acting Secretary of State to the Ambassador in Czechoslovakia (Steinhardt) ⁵⁹

WASHINGTON, July 31, 1945—10 p.m.

93. "The three governments participating in the Berlin conference have reached the following agreement regarding the transfer of German populations to Germany :

'July 31, 1945. [Here follows the text of Section XIII, "Orderly Transfers of German Populations", of the Report on the Tripartite Conference of Berlin, August 2, 1945, *Conference of Berlin (Potsdam)*, volume II, page 1511.]'

Please concert with your Soviet and British colleagues ⁶⁰ for communicating the foregoing to the Czechoslovak Government.

You should ask that the communication be treated as strictly secret until an official statement is issued by the conference. Sent to Warsaw, Prague and Budapest. Signed Byrnes." ⁶¹

GREW

⁵⁷ Vlado Clementis.

⁵⁸ The Labor Party defeated the Conservative Party in the British general elections of July 1945, and on July 26 the government of Prime Minister Winston Churchill was replaced by the government of Prime Minister Clement Attlee.

⁵⁹ Repeated as telegram 235 to Budapest, and as telegram 4 to Warsaw, with appropriate modifications in the penultimate paragraph. The message had originally been sent by the Secretary of State at the Berlin Conference to the Acting Secretary of State, Washington, for relay to Praha, Warsaw, and Budapest.

⁶⁰ Telegram 369, August 2, 8 p. m., from Budapest, reported that the American Mission in Hungary would not concert with the Soviet and British political advisers to the Allied Control Commission for Hungary but would arrange for the communication to the Hungarian Government to be dealt with by the Commission (740.00119 Potsdam/8-245).

⁶¹ James F. Byrnes, Secretary of State from July 3, 1945.

840.4016/8-245 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, August 2, 1945—6 p. m.

[Received August 4—5:38 a. m.]

15. British Chargé⁶² showed me last night text of telegram addressed to him and British Ambassador, Prague,⁶³ instructing them to concert with American and Soviet colleagues with a view to making similar *démarche* to Polish and Czechoslovak Governments respectively to postpone further expulsions of Germans from Polish and Czechoslovak territory into Germany pending further advice from Joint Chiefs of Staff. British Chargé was instructed to make representation today at 2 p. m. Greenwich Time at latest in the event that his American and Soviet colleagues had not received instructions before that time.

I have until now received no instructions of the Department. Hankey says that he was unable to communicate with Soviet Ambassador.⁶⁴

British Chargé d'Affaires informs me that Foreign Minister stated to him today at 3 p. m. Warsaw time (1 p. m. Greenwich) that Polish Government would postpone expulsions, but made following observations:

1. Many Germans returning were not expelled but went voluntarily when Russians advanced into Western Poland.

2. Polish Government appreciates confusion now existing in Germany and necessity for not adding to it.

3. Polish Government desires, however, to effect reconstruction immediately in Stettin and Oppeln, Silesia and will necessarily have forwarded [*sic*] to expel Germans from those areas.

Please repeat to Prague as my 1, to the Department as my 15, and to London as my 2.

LANE

840.4016/8-245 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State[Extract]⁶⁵

PRAHA, August 2, 1945—8 p. m.

[Received August 3—9 p. m.]

144. At lunch yesterday with President Beneš he referred to the minority problem. He said he understood necessity for a schedule

⁶² Robert Maurice Alers Hankey.⁶³ Philip Bouverie Bowyer Nichols.⁶⁴ Viktor Zakharovich Lebedyev.⁶⁵ For the remainder of this telegram, see vol. iv, p. 481.

in connection with evacuation and that Sudeten Germans must be treated humanely. He pointed out, however, the imperative necessity that they be removed from Czechoslovakia as soon as possible. He said the position of Czech Government would be materially strengthened if American Government would "formally agree in principle" to the evacuation from Czechoslovakia of the German-Hungarian minorities observing that the Russian Government has already given its formal consent.

STEINHARDT

740.00119 Potsdam/8-345 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, August 3, 1945—5 p. m.

[Received August 3—2:42 p. m.]

148. In concert with Soviet Ambassador ⁶⁶ and British Chargé notes were delivered yesterday by British and myself containing substance of agreement as outlined in your 93 of July 31. Soviet Ambassador had not yet received any instructions but stated that when instructions were received he would follow same course.

Masaryk ⁶⁷ was pleased with agreement except for request to suspend further expulsions which he feared might cause unrest among local population.

Czechoslovak Government will publicize agreement when made public by Berlin Conference, but Masaryk prefers omit mention of suspension of further expulsions unless full information released by conference.

STEINHARDT

840.4016/8-1145 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, August 11, 1945—2 p. m.

[Received August 14—1:15 a. m.]

67. I communicated orally to Minister Foreign Affairs ⁶⁸ August 10 contents Department's telegram 4, July 31, ⁶⁹ received August 8. Rzymowski said both Soviet and British representatives had already made

⁶⁶ Valerian Aleksandrovich Zorin.

⁶⁷ Jan Masaryk, Czechoslovak Foreign Minister.

⁶⁸ Wincenty Rzymowski. Minister of Foreign Affairs in the Polish Provisional Government of National Unity.

⁶⁹ See footnote 59, p. 1265.

similar request with which Polish Government would comply. He made no reservations such as British Chargé had reported (my telegram 15⁷¹).

LANE

840.4016/8-1145 : Telegram

*The American Representative in Hungary (Schoenfeld) to the
Secretary of State*

BUDAPEST, August 11, 1945—7 p. m.

[Received August 13—3:54 p. m.]

414. Further to my 413, August 11.⁷² Sviridov, deputy to Voroshilov,⁷³ told Miklos August 9 that some 400,000 Germans were to be deported from Hungary and requested Govt to submit by middle of August a plan as to numbers, place to be assembled and time for mass deportation. He urged also that public opinion should be prepared. Definition of Swab (German) would be for decision of Hungarian Govt. Sviridov said ACC (Allied Control Commission) would retain right to "assist" Govt in deportations.

Sviridov also made observations regarding ineffectiveness of provincial prefects due to inequitable distribution of Hungary's vehicles hampering their operations and also remarked on low quality of provincial police due to insufficient salary.

SCHOENFELD

840.4016/8-1445 : Telegram

*The American Representative in Hungary (Schoenfeld) to the
Secretary of State*

BUDAPEST, August 14, 1945—10 p. m.

[Received August 14—5:40 p. m.]

423. Prime Minister last night confirmed some information reported in my telegram 414 Aug 13 [11] adding Government had decided yesterday to inform Soviet member Allied Control Commission is ready to proceed with preparations for concentration of German minority here who voluntarily identified themselves with Nazis amounting to some 300,000 but would insist that remaining 100,000

⁷¹ Dated August 2, p. 1266.

⁷² Not printed; it reported that the Acting Chairman of the Allied Control Council in Hungary had summoned the Hungarian Prime Minister and Finance Minister on August 9 and had discussed with them certain economic topics (864.515/8-1145).

⁷³ Marshal of the Soviet Union Kliment Yefremovich Voroshilov, Chairman of the Soviet Element in the Allied Control Commission for Hungary.

be treated on individual merits and not collectively.⁷⁴ Government had not received official notice of Potsdam Declaration regarding expulsion of Germans with which Soviet demand for immediate concentration of all Germans in this country regardless of their individual attitude and of economic effect of such action seemed to be at variance. Moreover Hungarian Government was very conscious that indiscriminate treatment of Germans in this country would be undesirable precedent for analogous action against Hungarian minority in neighboring countries especially Czechoslovakia.

Repeated to USPolAd⁷⁵ Frankfort as No. 13.

SCHOENFELD

840.4016/S-1745

*The Czechoslovak Under Secretary of State for Foreign Affairs (Clementis) to the American Ambassador in Czechoslovakia (Steinhardt)*⁷⁶

[No. C.20.532/45/II]

PRAGUE, August 16, 1945.

MONSIEUR L'AMBASSADEUR: In your note of the 2nd inst.,⁷⁷ on the instructions of your Government, you communicated to the Czechoslovak Minister for Foreign Affairs the text of an agreement reached by the Great Powers represented at the Berlin Conference regarding the transfer of Germans.

The Czechoslovak Government have accepted with gratitude the decision whereby the Great Powers represented at the Berlin Conference have agreed to the transfer of the German population from Czechoslovakia. By this decision the three Allied Great Powers have taken an important step towards the ensuring of peace in Central Europe. As they have stressed in their previous notes dealing with this matter, the Czechoslovak Government are convinced that peace in Central Europe could not be regarded as ensured and lasting if the minorities which participated to such an extent in the unleashing of this last war should be left within the state for the destruction of which they strove.

⁷⁴ In telegram 420, August 13, 6 p. m., the Representative in Hungary reported having been informed by a Hungarian Government official that it was estimated that over 300,000 Germans previously in Hungary had declared themselves of German nationality and that another 100,000 though declaring German to be their mother tongue had described themselves as of Hungarian nationality and in many cases had rendered patriotic service against Nazi forces (840.4016/S-1345).

⁷⁵ United States Political Adviser for Germany, Robert D. Murphy.

⁷⁶ Transmitted to the Department by the Ambassador in his despatch 43, August 17; received September 5.

⁷⁷ For the instructions to the Ambassador relative to the communication of text of the Potsdam agreement on transfer of Germans, see telegram 93, July 31, 10 p. m., to Praha, p. 1265.

The Czechoslovak Government equally welcome the fact that the Berlin Conference has already appointed an Allied organ to carry out this decision.

If the three Allied Great Powers agreed that the transfer should be carried out in an orderly and humane manner, they only thereby gave expression to the standpoint maintained by the Czechoslovak Government from the outset.

As the Czechoslovak Government took the liberty of informing you in their earlier communications, the whole administrative, economic, financial and social restoration and consolidation of the state are held back and partly even rendered impossible as long as the transfer is not effected. The Czechoslovak Government are, therefore, particularly interested that the Allied Council in Germany should accomplish the tasks with which it has been entrusted by the Berlin agreement on transfer in the shortest possible space of time so that, now that the harvest work is over, the transfer of the German population from Czechoslovakia might be started as soon as possible and carried out within a period of about one year. In order to make it easier for the Allied Control Council to execute its tasks in the matter of the transfer, the Czechoslovak Government are prepared to send to Berlin a delegation of experts with all the necessary material and appropriate proposals. The Czechoslovak Government would be grateful if the Government of the United States would kindly notify thereof their representative on the Control Council.

The Berlin agreement makes no mention of the exchange of the Hungarian population in Czechoslovakia for the Czechoslovak population in Hungary. If, however, the three Allied Great Powers, represented at the Berlin Conference, expressed their agreement with the transfer of Germans from Czechoslovakia, it may be presumed that these Great Powers also agree with the exchange of the Hungarian population, for in favour of this exchange and its quick accomplishment speak the same reasons, dictated by considerations for the ensuring of peace and quiet in Central Europe as well as by the urgent need for quick restoration and consolidation of the state from the administrative, economic, financial, social and other aspects, as in the case of the transfer of Germans from Czechoslovakia. The Czechoslovak Government, therefore, request that the Control Council in Budapest should be charged, with regard to the exchange of Hungarian population for Slovakian population, with tasks analogous to those entrusted to the Control Council in Berlin in the matter of the transfer of German population. The Czechoslovak Government are prepared to send to Budapest a delegation of experts analogous to that which they contemplate sending to Berlin.

A similar note is being addressed to the representatives of the Government of the United Kingdom and USSR.

Accept [etc.]

DR. VL. CLEMENTIS M.P.

740.00119 Control (Germany)/8-1745: Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, August 17, 1945—9 p. m.
[Received August 17—6:30 p. m.]

314. A two-hour session of the Coordinating Committee of the Control Council⁷⁸ today was chiefly interesting because of the long discussion of the report on "orderly transfers of German populations" which the Council has to prepare in compliance with section XIII of the report of the Tripartite Conference of Berlin.

General Clay⁷⁹ took the position that the section of the report dealing with discussions with the Governments of Poland and Czechoslovakia and the ACC (Allied Control Commission) of Hungary to arrive at agreement with regard to the expulsion of Germans should be handled by the Political Division of the Council, leaving the study of the reception and settlement of the refugees to the Prisoner of War and Displaced Persons Divisions. General Robertson⁸⁰ (British) insisted that the Council's study be limited to a report by the Manpower Division on the number of refugees which have already entered Germany and the additional number which could be accommodated. The committee finally deferred to General Sokolovsky's⁸¹ insistence that the report should be prepared by the Political Division. Both Sokolovsky and General Koeltz⁸² (French) made the assertion that under the Potsdam Agreement, Germany would be predominantly an agricultural country and that it would be the agricultural sections of Germany which would mainly have to provide new homes for the displaced populations.

General Clay's inquiry as to the number of Germans already expelled, General Sokolovsky said that while he did not have definite figures, he understood that some four and half million Germans from

⁷⁸ i.e. the Allied Control Council for Germany. For documentation regarding the participation by the United States in the work of this Council, see vol. III, pp. 820 ff.

⁷⁹ Lt. Gen. Lucius D. Clay, United States Deputy Military Governor for Germany and American Representative on the Coordinating Committee.

⁸⁰ Lt. Gen. Sir Brian Robertson, British Deputy Military Governor for Germany and British Representative on the Coordinating Committee.

⁸¹ General of the Army Vasily Danilovich Sokolovsky, First Deputy of the Supreme Chief of the Soviet Military Administration for Germany, and Soviet Representative on the Coordinating Committee.

⁸² Lt. Gen. Louis Marie Koeltz, Deputy French Military Governor for Germany and French Representative on the Coordinating Committee.

East Prussia, Pomerania and Silesia and another 700,000 from Czechoslovakia had already entered the Russian zone, and that probably one million additional would be expelled by Holland [*Poland?*] and that Hungary and Czechoslovakia would each want to send out about half a million more Germans from their territories. General Robertson mentioned the necessity of the Political Division's report occupying itself with the question of the "orderly and humane transfer" of these populations.

General Clay announced that at the next Coordinating Committee meeting he would present a draft of a military government law for the decartellization and "decombination" of German industry.

MURPHY

740.00119 Control (Germany)/8-2045 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

[Extracts]⁸³

BERLIN, August 20, 1945—9 p. m.

[Received August 20—6:55 p. m.]

329. The Control Council held its third meeting in Berlin today.

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General Eisenhower⁸⁴ referred to the number of displaced persons from the east to the western zones and the necessity of arriving at an equitable distribution in this respect and pointed out that the American zone at present is extremely crowded. He also referred to the Potsdam decision regarding the transfer of populations from certain eastern areas. Zhukov⁸⁵ in the discussion insisted that the transfer of these populations must not be deferred for long.

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MURPHY

840.4016/9-945

The British Embassy to the Department of State

AIDE-MÉMOIRE

It seems apparent that, despite the requests made to them by the three Governments as a result of the Potsdam Conference, the Polish

⁸³ This telegram is printed in full in vol. III, p. 832.

⁸⁴ General of the Army Dwight D. Eisenhower, Commanding General, United States Forces, European Theater; Commander in Chief, United States Forces of Occupation in Germany; American member, Allied Control Council for Germany.

⁸⁵ Marshal of the Soviet Union Georgiy Konstantinovich Zhukov, Chief of the Soviet Military Administration in Germany; Commander in Chief of Soviet Military Forces of Occupation in Germany; Soviet member on the Allied Control Council for Germany.

authorities are continuing, at any rate by indirect means, to expel the remaining German inhabitants from the German territories handed over to Polish administration. The difficulties created for the Control Commission, already formidable as a result of previous expulsions, are thus daily becoming greater.

On August 27th His Majesty's Principal Secretary of State for Foreign Affairs⁸⁶ directed the attention of the recently appointed Polish Ambassador in London⁸⁷ to this matter and asked him to make inquiries. The question is, however, one which concerns all the occupying powers. His Majesty's Government propose therefore that the British, French, Soviet and American representatives in Warsaw should jointly make urgent representations to the Polish Provisional Government to follow not only the letter but the spirit of the request made to them at the Potsdam Conference. It could be pointed out to the Polish Provisional Government that these transfers of population have already been accepted in principle but if they are to be effected in the orderly and humane manner contemplated by the Three Powers at Potsdam and if the situation in Germany is not to get completely out of hand, it is essential that further expulsions should be suspended until the whole question has been reviewed by the Control Council. In the meantime no measures should be taken which make it impossible to Germans to remain in territories administrated by the Poles.

His Majesty's Chargé d'Affaires⁸⁸ is instructed to propose to the United States Government the issue of instructions in this sense to the United States Ambassador in Warsaw.

A similar communication is being made to the Soviet Government and to the French Provisional Government.

WASHINGTON, September 9, 1945.

840.4016/9-1145 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, September 11, 1945—9 p. m.

[Received 11:35 p. m.]

500. Refer to last paragraph of Section XIII of the Potsdam agreement requesting governments of Poland and Czechoslovakia to suspend further expulsions of Germans pending an examination of this question by the Control Council. Gen. E. F. Wood of PW and Displaced Persons branch⁸⁹ recently returned from Poland reports Poles

⁸⁶ Anthony Eden.

⁸⁷ Henryk Strasburger.

⁸⁸ John Balfour.

⁸⁹ Brig. Gen. Eric Fisher Wood, Deputy Director of the Prisoners of War and Displaced Persons Division of the United States Group Control Council for Germany.

agree to suspend expulsions except from Oppeln and Stettin. Would appreciate if you⁹⁰ would sound out informally Czech Government as to its willingness to suspend expulsions during coming fall and winter in view of present chaotic conditions in Germany and lack of housing and food. Would also appreciate any data you can obtain informally regarding numbers of Germans already expelled and still awaiting expulsion. We are pressing study of this problem in political directorate of Allied Control Commission but progress so far very slow.

Sent to Prague as 35.⁹¹

MURPHY

740.00119 Control (Germany)/9-1245: Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, September 12, 1945—10 a. m.

[Received 3:20 p. m.]

502. On matter of transfer of population under Section XIII of the Potsdam agreement, I am wiring Praha and Warsaw informally exploring the possibility of suspending expulsions of populations during the fall and winter and getting some indication of the numbers of persons involved in the transfers. (See my No. 26 of September 11, 10 p. m., to Warsaw, repeated to Dept as 501⁹² and my No. 35 of Sept 11, 9 p. m., to Praha, repeated to Dept as 500.)

Although very little progress has been made on this matter in the political directorate so far (see my No. 462 of September 7, noon⁹³), I intended to press this matter in future. Marshal Zhukov's remarks at yesterday's Control Council meeting (see my No. 490 of Sept 10, 11 p. m.⁹⁴) give some reason to [apparent omission] the Soviets will now cooperate more fully. Intend to propose in the Directorate that PolAd [*Poland?*], Czechoslovakia and the ACC for Hungary be

⁹⁰ i.e., the Ambassador in Czechoslovakia. This telegram was sent to Praha and repeated to the Department.

⁹¹ A virtually identical message, *mutatis mutandis*, was sent to Warsaw as No. 26 and was repeated to the Department as telegram 509 (later corrected to read 501), September 11, 10 p. m., from the United States Political Adviser for Germany (840.4016/9-1145).

⁹² See footnote 91, above.

⁹³ Not printed; it reported on the third meeting of the Political Directorate of the Allied Control Authority for Germany. The matter of transfer of populations was discussed *inter alia*. The Soviet member again stated that he had not yet received instructions from his Government on the matter. The American member observed that the Political Directorate had had the problem of transfer of populations under consideration for 3 weeks. (740.00119 Control (Germany)/9-645)

⁹⁴ Vol. III, p. 835; it reported on the fifth meeting of the Allied Control Council for Germany.

requested formally to suspend further expulsions until the spring. Would appreciate Department's prompt instructions in this matter. From informal and unchecked sources, it appears that out of nine million Germans, formerly in territory now under provisional Polish administration, about four and a half million are already west of the Oder-Neisse line and two and a half million remain to be expelled. On August 16, 3d US Army estimated about 414,000 Germans in its area from East Prussia, Pomerania and Upper and Lower Silesia.

MURPHY

840.4016/8-1745 : Telegram

*The Acting Secretary of State to the Ambassador in Czechoslovakia
(Steinhardt)*

WASHINGTON, September 14, 1945—8 p. m.

226. USPolAd, Berlin, has been informed of Zecho note Aug 16 urtel 226 Aug 17,⁹⁵ despatch 43 Aug 17,⁹⁶ and requested to make appropriate arrangements for Zecho delegation to present plan to Control Council for transfer of German minorities. Dept does not consider USPolAd request Sep 12 appropriate until Zecho delegation has had opportunity to present proposals. Dept would appreciate your comments.

Transfer of Hungarians definitely not covered in Potsdam agreement Deptel Aug 29.^{96a} Copy of Zecho note will be sent to ACC Budapest for information. No further action will be taken at this time.

Dept suggests that you delay answer to Zecho note until your comments are transmitted and reply is received to telegram sent to USPolAd today.

ACHESON

840.4016/9-1145 : Telegram

*The Acting Secretary of State to the United States Political Adviser
for Germany (Murphy), at Berlin*

WASHINGTON, September 14, 1945—8 p. m.

477. Urtels 500 Sep 11 and 502 Sep 12, Zecho Govt agreed after reception of four-power note concerning Article 13 Potsdam decision to stop mass expulsion of German minorities. US informed that Zecho Govt is preparing a plan for orderly transfer and according

⁹⁵ Not printed; it gave a very brief summary of the note of August 16 from the Czechoslovak Under-Secretary of State for Foreign Affairs to the Ambassador in Czechoslovakia, p. 1269.

⁹⁶ Not printed; it transmitted to the Department the note of August 16.

^{96a} Telegram of August 29 not printed.

to Presidential decree of Aug 2⁹⁷ established a procedure for determining loyalty to Zecho state.

Dept now informed by Zecho note Aug 16 (Praha's 226 Aug 17⁹⁸ repeated to you as no. 10) that Zecho Govt prepared to send delegation to Berlin to discuss arrangements and submit detailed plans for transfer.

In view of Zecho response to four-power note and Presidential decree, Dept considers that plan suggested in urtel 502 be delayed until Zecho delegation has had opportunity to submit detailed proposals to Control Council.

You are requested to inform appropriate authorities that Zecho delegation is prepared to proceed with discussions and to present Zecho Govt plan.

Sent to Berlin as 477; repeated to Praha as 227.

ACHESON

840.4016/9-1145: Telegram

The Acting Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, September 14, 1945—8 p. m.

479. Lane has been authorized to approach PolGov on suspension of expulsions of Germans as requested in your 509, September 11.⁹⁹ Latest data available here indicates approximately four and half million persons have entered Soviet zone from areas east of Oder and Neisse.

ACHESON

840.4016/9-1545: Telegram

The Chargé in Poland (Keith) to the Secretary of State

WARSAW, September 15, 1945—1 p. m.

[Received 3:30 p. m.]

257. Urtel 26, Sept 11, 11 p. m.¹ Acting Foreign Minister Modzelewski² of whom I inquired informally today regarding Polish Govt's willingness to suspend expulsion of Germans stated that they

⁹⁷ For an English translation of the text of the Constitutional Decree of the President of the Republic of August 2, 1945, concerning the regulations governing the Czechoslovak citizenship of persons of German and Magyar nationality, see *The Expulsion of the German Population from Czechoslovakia: A selection and translation from Dokumentation der Vertreibung der Deutschen aus Ost-Mittleuropa*, Band iv, 1 and iv, 2 (Federal Ministry for Expellees, Refugees and War Victims, Bonn, 1960), p. 228.

⁹⁸ See footnote 95, p. 1275.

⁹⁹ See footnote 91, p. 1274. The authorization to the Ambassador in Poland was contained in telegram 103, September 14, 8 p.m. (840.4016/9-1445).

¹ See footnote 91, p. 1274.

² Zygmunt Modzelewski, Polish Vice Minister for Foreign Affairs.

were disposed to help in this matter. He said that according to arrangements made with General E. F. Wood the Germans were to leave Poland in numbers equal to those of Poles returning from Germany and added that as the Poles left there should of course be more room for the Germans to be received. He wished to know if it was planned to continue the suspension until any fixed date and he would appreciate being informed of what further plans were being developed with regard to this problem. He then added that the Germans were now leaving Poland at a rate averaging approximately 2000 per day but said that there were only rare cases of expulsions as most of those returning did so voluntarily. He was unable to give any estimate of the number of Germans who had already been expelled although daily rate was in past much larger than at present. He remarked that with large number of Poles returning each day under repatriation plan taking care of them was great problem. His obvious thought was that exodus of Germans made problem here easier.

Sent Berlin as 53; repeated Dept No 257, to London for Ambassador Lane³ as 31.

KEITH

840.4016/9-2045 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, September 20, 1945—7 p. m.
[Received September 23—1:55 p. m.]

368. In accordance with your request we have discussed subject of your 35 of Sept 11⁴ with Czech authorities who advise as follows:

There are two groups of Germans they desire to expel from Czechoslovakia. (a) Approximately 1,000,000 German refugees who entered Czechoslovakia in flight before advancing Soviet armies and who constitute a continuing burden on the limited food supplies of a country with a population of 14,000,000. Of this million it is estimated only 200,000 or 300,000 have been repatriated to Germany. The Czech authorities state that it has not been possible to repatriate the balance due to the failure thus far of American, British and Soviet authorities to cooperate. (b) Approximately 2,500,000 Sudeten Germans who were residents of Czechoslovakia before outbreak of war or since then. Of these 2,500,000 Czech authorities state that not more than 200,000 have left Czechoslovakia voluntarily or been expelled. Adding to this 200,000 approximately 800,000 who will

³ Ambassador Lane was in London conferring with the Secretary of State, who was taking part in the first meeting of the Council of Foreign Ministers.

⁴ See last paragraph of telegram 500, September 11, 9 p. m., from Berlin, p. 1273.

be permitted to remain because of their loyalty to Czechoslovakia state approximately 1,500,000 are to be expelled under Potsdam Agreement.

As large number of Czechs and Slovaks have returned to Czechoslovakia who are without houses or means of earning a livelihood Czech authorities are insistent that Potsdam Agreement be implemented as soon as possible. They take the position that they reluctantly agreed to suspend expulsions pending arrangements for an "orderly and humane" procedure but cannot agree to further delay. They point out that the entire administrative, political, economic, financial and social rehabilitation of Czechoslovakia is being blocked by the failure of Allied Control Commission to approve a schedule of orderly and humane expulsions. They emphasize that they offered over a month ago to send a delegation to Berlin to agree with Allied Control Commission on a schedule of orderly and humane expulsions and apparently regard Allied Control Commission's failure to take correct [*corrective?*] action as dilatory. They refer to statistics made public by American military authorities of millions of non-Germans who have been repatriated from Germany to their respective countries as evidence that there is room in Germany to take back its own refugees and to absorb the Sudeten Germans, particularly if a weekly schedule of absorption is agreed upon. They also point out that a large Russian army continues to consume Czechoslovakia's limited food supply, that they have had to appeal to UNRRA ⁵ for assistance and that food shipped into Czechoslovakia requires longer transportation than if the supplies are made available in Germany to Germans expelled from Czechoslovakia. Finally they urge that as the political stability of Czechoslovakia which the US and Great Britain desire to maintain and strengthen is dependent on earliest possible agreement on a schedule of expulsions that the matter be given immediate attention.

Sent USPolAd Berlin as 19, repeated Dept.

STEINHARDT

840.4016/9-2145 : Telegram

The Ambassador in Poland (Lane) to the Acting Secretary of State

WARSAW, September 21, 1945—10 a. m.

[Received 7:10 p. m.]

272. During my absence ⁶ Keith ⁷ took up with Acting Foreign Minister suspension of expulsion of Germans as authorized Depart-

⁵ United Nations Relief and Rehabilitation Administration. For documentation regarding the participation by the United States in the work of UNRRA for the year 1945, see pp. 958 ff.

⁶ Ambassador Lane was absent from Warsaw from September 12 to September 18.

⁷ Gerald Keith, Counselor of Embassy.

ment's 103 September 14, 8 p. m.⁸ This was reported in telegram to Paris for repetition to Berlin as No. 53.⁹

This matter was discussed by me with Murphy in Berlin September 18. I agree with Murphy that any unnecessary harshness towards Germans by Poles is to be regretted. There is unfortunately, however, a tendency of government controlled press to blame British and ourselves for pro-German attitude. I fear that any representations which British and United States may make independently of Russians will be played up as indication of Fascist leanings. If, however, Soviet Government can be induced to adopt a similar attitude as agreed upon at Potsdam which we would do our best to publicize, there would be naturally no objection. Mikolajczyk¹⁰ informed me September 20 that report now being circulated that British and we are more concerned in return of Germans to Germany than in return of Poles to Poland.

Sent Department as 272; repeated Berlin for Murphy as 66; repeated London for information of Secretary of State as 37.

[LANE]

840.4016/9-2145 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, September 21, 1945—noon.

[Received September 22—2 a. m.]

585. Reference your¹¹ 239 of September 15, 1 p.m. repeated to Dept as 257. General E. F. Wood denies having made any arrangement with Polish authorities concerning the transfer of Germans from Poland *pari passu* with transfers of Poles to Poland. He denies having seen Modzelewski and states that he has negotiated solely with General Spychalski¹² in Warsaw and with General Swierczewski¹³ in Berlin. In both cases the discussion was limited to Polish DPs¹⁴ and Germans were not covered.

For your information, the British here state that the Polish authorities have told them also that such an agreement was made between the Poles and General Wood.

Sent to Warsaw as 38, repeated to Dept as 585.

MURPHY

⁸ Not printed.

⁹ See last paragraph of telegram 257, September 15, 1 p. m. from Warsaw, p. 1276.

¹⁰ Stanisław Mikołajczyk, Deputy Prime Minister and Minister of Agriculture and Agrarian Reform in the Polish Provisional Government of National Unity.

¹¹ i.e., the Chargé in Poland.

¹² Gen. Marian Spychalski, Chief of Staff of the Polish Army.

¹³ Gen. Karol Swierczewski.

¹⁴ Displaced persons.

840.4016/9-2245 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, September 22, 1945—7 p. m.

[Received September 24—10:40 a. m.]

279. Mytel 272, September 21, 10 a. m. As British Ambassador¹⁶ and I agree that it would be inadvisable to make further representations on expulsion of Germans from Poland unless Soviet Ambassador likewise should make similar representations, I consulted Lebediev this morning. He claimed to be uninformed regarding any recent expulsions but promised to consult his FonOff.

Sent to Dept. as 279 repeated to Berlin for Murphy as 69.

LANE

740.00119 Control (Germany)/9-2545 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, September 25, 1945—midnight.

[Received September 25—8:57 p. m.]

621. USFET Main¹⁷ has advised Commanding General, Eastern Military District,¹⁸ that reports are being received indicating Germans are entering U.S. zone in violation of policy agreed upon at Potsdam. Reputedly these entries are result of treatment of German elements in Czechoslovakia that prevents orderly and humane transfer. Commanding General is directed to submit for transmission to State Department a factual report on Czech treatment of Germans and its probable effect upon latter's migration to U.S. and other zones in Germany.

MURPHY

840.4016/9-2945 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, September 29, 1945.

[Received September 29—10:07 a. m.]

615. At the ninth meeting of the Coordinating Committee,¹⁹ it was decided that the Govts of Poland and Czechoslovakia and the Control Commission for Hungary should be requested to furnish certain

¹⁶ Victor Cavendish-Bentinck.

¹⁷ United States Forces, European Theater, Main Headquarters.

¹⁸ Gen. George S. Patton, Jr.

¹⁹ Of the Allied Control Council for Germany.

information concerning Germans still to be expelled from those countries under the terms of the Potsdam Agreement. At the tenth meeting of the Committee it was made clear that this request should be transmitted by identical notes presented by the four powers through the usual diplomatic channels. At the seventh meeting of the Political Directorate, on Sept 28, the terms of such a note were agreed upon as follows:

"The Allied Control Council for Germany has been charged with the responsibility of studying the question of transfer of Germans out of (blank) in an orderly and humane manner, and of preparing a report making recommendations on this question under section VIII [*XIII?*] of the Potsdam Agreement. It is accordingly necessary to have information as to the number of Germans who are to be transferred out of (blank), and also as to their age (showing persons over 60 and under 12) sex and occupation. The Allied Control Council accordingly requests, through the Govts of the United States, the Union of Socialist Soviet Republics, the United Kingdom and France, this information from the (blank) Govt as soon as it can conveniently be given."

The Dept is accordingly requested to transmit the above message to the Govts of Poland and Czechoslovakia and the Allied Control Commission for Hungary on behalf of the Allied Control Council for Germany.

MURPHY

740.00119 Control (Germany)/9-3045: Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

[Extracts]

BERLIN, September 30, 1945—noon.

[Received September 30—11:38 a. m.]

652. The seventh meeting of the Political Directorate was held on September 28 with Mr. Steel ²⁰ presiding.

On the matter of population transfers, and the proposal of the US member that the Czech offer to send a delegation to Berlin to discuss this question be accepted the French member ²¹ suggested that the Control authority should formulate its own plans before consulting the Czechs, and also that the refugees already in Germany should be provided for before those from outside. Mr. Sobolev ²² agreed gen-

²⁰ Christopher Eden Steel, British member of the Political Directorate.

²¹ M. de la Tournelle.

²² Arkady Aleksandrovich Sobolev, Political Adviser to the Chief of the Soviet Military Administration in Germany.

erally with the French views and stated that enough facts are already known to begin now on the planning. Mr. Heath²³ stressed the delay which had already occurred on this matter and suggested that, at least, preliminary talks could be had with the Czechs. Mr. Steel suggested that primary responsibility in this matter now lies with the Directorate of Prisoners of War and Displaced Persons and that the Political Directorate should merely communicate its views to them. He also stated that it would be appropriate for the Control authority to send observers into the Sudetenland. Accordingly, it was decided to send a communication to the Prisoners of War and Displaced Persons Directorate stating that the Political Directorate favored the acceptance of the Czech delegation as soon as the Prisoners of War and Displaced Persons Directorate considers that such a delegation can make a useful contribution to the settlement of this problem.

Mr. Heath presented a paper²⁴ stating that whereas the Czechs had given formal notification of their willingness to suspend expulsion, the Poles had not done so. He proposed that the Council formally repeat to the Polish Government the request to suspend expulsions contained in the Potsdam Agreement. Mr. Sobolev felt this matter to be too important for settlement in the Directorate and suggested it be presented in the Coordinating Committee. He suggested that the Soviet member²⁵ of that Committee might be opposed to such a move. Mr. Steel stated that he believed the British would favor it. The matter will be prepared for submission by the US member to the Coordinating Committee at its next meeting.

Mr. Steel then brought up the Coordinating Committee's decision that identical notes be sent to the Governments of Poland and Czechoslovakia and the Allied Commission for Hungary requesting information concerning the Germans still to be expelled from those countries. The Committee had decided that identical notes be presented by the four powers through usual diplomatic channels. The text of a note was agreed, based upon a draft which Mr. Heath had submitted. (See my No. 615, September 29.) This message is being sent by the four powers to Poland and Czechoslovakia, but France is not sending it to the Allied Commission in Hungary since she is not represented on it. In this connection, Mr. Steel mentioned the opinion of the British Government that the procedure of sending identical notes through the

²³ Donald R. Heath, Counselor of Mission, Office of the U.S. Political Adviser for Germany.

²⁴ The memorandum of the U.S. member of the Political Directorate concerning the proposed Czechoslovak delegation to discuss Transfer of Populations, designated document DPOL/P(45)14, transmitted to the Department by the United States Political Adviser for Germany in his despatch 1068, October 6, 1945, neither printed (740.00119 Control (Germany)/10-645).

²⁵ Gen. Vasily Danilovich Sokolovsky.

four powers is unnecessarily cumbersome and that some quicker way would be desirable. He recognized that the Soviet member was bound by his Government's instructions, but he wished the record to show that the British Government would prefer a simpler mechanism, and might raise the point again. Mr. Heath stated that the Department hopes that the neutral countries may have some minimum representation in Berlin before too long a delay.²⁶

MURPHY

740.00119 Control (Germany)/10-345 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State

PRAHA, October 3, 1945—5 p. m.

[Received 9:45 p. m.]

417. As requested²⁷ my comments on USPolAd Berlin 621 September 25 to the Department are as follows:

Ever since the Potsdam decision approved the transfer of Germans from Czechoslovakia to Germany the Czech Government has been endeavoring to approach the Allied authorities in Berlin with a view to arranging for an orderly and humane transfer. Thus far the Czech Government has not been permitted to submit its plan to the Allied authorities in Berlin who without having given the Czechs a hearing appear to be determined to delay all transfers until next spring. These dilatory tactics are construed by Czech Government and public as deliberately intended to oblige Czechoslovakia to feed, clothe and house throughout the winter not only Sudeten Germans but Germans who fled to Czechoslovakia to escape the Soviet armies as well.

Considering the inhumane treatment Czechs suffered at hands of many of these same Germans for over 6 years and the extent to which their patience is now being strained by the refusal of Allied authorities to permit them to expel even the worst offenders, it is surprising that there has been so little ill treatment of the Germans in Czechoslovakia and so few irregular expulsions or voluntary departures. In this connection it is important to bear in mind that the expulsion of the Germans from Czechoslovakia is by far the most important political issue in the country. Every prominent Czech and Slovak

²⁶ For documentation regarding the negotiations in the European Advisory Commission and the Allied Control Commission for Germany concerning the representation in Germany of foreign governments after surrender and the establishment of four-power control in Germany, see vol. III, pp. 1084 ff.

²⁷ Request made in Department's telegram 270, September 28, 9 p. m. to Praha (740.00119 Control (Germany)/9-2545).

politician from extreme right to extreme left is as much committed to expulsion as are the American, British and Soviet Governments by the Potsdam decision. With coming of cold weather it is quite possible that serious outbreaks may take place occasioned by refusal to permit any expulsions rather than by a failure to agree to wholesale transfers. I have felt for sometime that Allied consent to a moderate number of transfers which would permit the Czechs to rid themselves of some of the worst offenders would go far to relieve tension which is steadily mounting. Only yesterday the leading Communist newspaper *Rude Pravo* again referred to opposition by the "Western Powers" to expulsion of Germans from Czechoslovakia and again asserted that Potsdam decision agreeing to expulsion had been result of Soviet initiative in forcing US and Great Britain into line. Having been a party to the Potsdam decision any failure by the Soviet member of the Allied Control Council in Berlin to agree at this time to a schedule of orderly and humane transfers should be regarded in my opinion as having as its motive a desire to place the US in an unfavorable light before the Czech Government and public, as it is generally understood by the Czechs that transfers must be made into the US zone of occupation. Now that the trend of public opinion in Czechoslovakia is beginning to strongly favor the US it would be most unfortunate if this trend were to be abruptly reversed as result of further delay in implementing the Potsdam decision.

Insofar as concerns the reservations in USPolAd's telegram under reference it seems to me that overdue arrangements for orderly and humane transfers might well prevent further alleged mistreatment of German elements in Czechoslovakia rather than as suggested that "entries are the result of treatment of German elements in Czechoslovakia that prevents orderly and humane transfer", a process of reasoning I am unable to comprehend.

As both sides of the Czech-German frontier are controlled by US armed forces and as this border is closed, it is also difficult for me to understand how any considerable number of Germans can be "entering the US zone" unless the US military authorities consent.

In conclusion, I am constrained to express concern lest the appearance by some of our military authorities, as indicated by the telegram under reference, of favoring the German population as against our Czech Allies may in the course of time have serious political consequences in Czechoslovakia particularly in the struggle between the Communists and the Moderates for control of the country.

Sent to Department as 417, repeated to USPolAd as 24.

STEINHARDT

740.00119 Control (Germany)/10-345: Telegram

*The Acting Secretary of State to the Ambassador in Czechoslovakia (Steinhardt)*²⁸

WASHINGTON, October 3, 1945—8 p. m.

282. Allied Control Council for Germany has requested Govts of Poland, Zecho and the Control Commission for Hungary to furnish certain information concerning Germans still to be expelled from those countries. It was agreed at ninth meeting of Coordinating Committee Sep 27 that this information should be transmitted by identical notes presented by the four powers through the usual diplomatic channels.

You are therefore requested to present to FonOff on behalf of Allied Control Council for Germany note as follows:

[Here follows text of note quoted in telegram 615, September 29, from the United States Political Adviser for Germany, printed on page 1280.]

ACHESON

840.4016/10-345: Telegram

The Acting Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, October 3, 1945—8 p. m.

4613. You are requested to bring the following urgently to attention Fonoff: Acute shortages of fuel, food and housing as well as political desirability of ousting of Reich Germans from Austria make it imperative that all Reich Germans, except those entitled to United Nation status because of persecution, be evacuated from Austria immediately.²⁹ Instructions have been issued³⁰ to CG USFET and CG US Forces in Austria to evacuate all Reich Germans from US zone by Nov 1, 1945. For purposes of determining action, Reich Germans are defined as all German officials, members of the Nazi Party who were German nationals prior to March 13, 1938,³¹ Germans

²⁸ Repeated as telegram 484, October 3, 7 p. m., to Budapest, and as telegram 168, October 3, 7 p. m., to Warsaw.

²⁹ For further documentation regarding the interest of the United States in the evacuation of Germans from Austria, see telegram Secdel 13, September 8, 8 p. m., from the Acting Secretary of State to the Secretary of State in London; telegram 218, September 15, 4 p. m., from the United States Political Adviser for Austrian Affairs in Vienna; and memorandum by the Acting Chairman of the State-War-Navy Coordinating Committee to the Secretary of State, dated September 28, vol. III, pp. 582, 596, and 608, respectively.

³⁰ For text of message from the Joint Chiefs of Staff to the Commander in Chief, U.S. Forces of Occupation in Austria, and Commanding General, U.S. Forces, European Theater, see *ibid.*, p. 609.

³¹ An Austrian law of March 13, 1938, decreed that Austria was a province of the German Reich. See telegram 77, March 13, 1938, 11 p. m., from the Chargé in Austria, *Foreign Relations*, 1938, vol. I, p. 438. For documentation regarding the annexation of Austria by Germany in March 1938, see *ibid.*, pp. 384 ff.

who entered Austria after that date and other Germans directly connected with the Nazi exploitation of Austria, except those whom it may be desirable to hold for security or other reasons.

In order to carry out immediate evacuation, Dept requests that French Govt agree to receive in its zone in Germany those Germans who formerly resided there but who are now in US zone in Austria and to inform Political Adviser in Germany to this effect. Dept also points to desirability of similar instructions by French Govt to Commander in Austria as desirable step in solving supply difficulties and in fulfilling four power agreement on liberation of Austria from German domination.

Similar messages have been sent to London and Moscow and to US Commanders and Political Advisers in Germany and Austria.³²

ACHESON

740.00119 Control (Germany)/10-945 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, October 9, 1945—8 p. m.

[Received October 9—6 p. m.]

727. 1. Reference your 417, October 3, 5 p. m., to Dept.³³ My 621, September 25, 12 p. m., to Department was based on cable sent from USFET (United States Forces European Theater) to Commanding General Eastern Military District, US zone Germany. Full information on which statement relative to treatment of Germans by Czechs was based is not available here but has been requested. Military authorities here do state, however, that US military personnel in Czechoslovakia have been eye witnesses of instances where German population of Czech villages has been instructed to report at a given meeting place and has been forcibly evicted, frequently being stripped there or on road of few personal possessions being carried and also being beaten if resistance was shown to eviction. This treatment has been of sufficient frequency or sufficiently widespread, I am informed, to cause concern among US military commanders over anti-Czech sentiments which have developed as a consequence among their personnel.

2. Closure of border between US zone, Germany and Czechoslovakia to population movements is more theoretical than actual. Sur-reptitious and illegal crossings are not unknown.

³² Telegrams 8761 to London, 2092 to Moscow, 596 to the United States Political Adviser for Germany in Berlin, and 159 to the United States Political Adviser on Austrian Affairs in Vienna.

³³ The telegram under reference is from Praha, p. 1283, which was sent to the Department as No. 417 and repeated to USPolAd as No. 24.

3. Relative to dilatory tactics of "Western Powers" in expulsion of Germans from Czechoslovakia and entrance of Czech Mission to present arguments therefor, following action has been taken in Political Directorate, Allied Control Authority. On September 21, US delegate introduced a paper ³⁴ recommending acceptance of Czech Government offer to send special temporary delegation to discuss population transfers. Paper was discussed at September 28 meeting of Directorate.³⁵ In meantime, however, responsibility of population transfers had been shifted to Prisoner of War and Displaced Persons Directorate, so Political Directorate referred matter to latter with the favorable recommendation that the delegation be received as soon as the POW Directorate ³⁶ feels that the delegation will be of assistance.

4. In the POW Directorate, the US delegate ³⁷ on Sept 14, introduced for consideration a memorandum ³⁸ by which the powers occupying Germany agreed to receive back, each in its own zone, those German nationals who fled into Austria and Czechoslovakia as a result of the war. It was further provided that movement of these Germans would commence as soon as coordination by transportation officials could be effected and was to be completed, if possible, prior to Nov 1, 1945. When this memorandum came up for discussion on Sept 19, the close connection of its subject matter to that of the control of movements of population then under discussion by the Coordinating Committee was recognized, so action was postponed until the next meeting of the Directorate. At the latter on September 29, the British and French members ³⁹ argued for postponement of consideration in that to them the matter was part of broader question still being studied and planned for. The Soviet member ⁴⁰ agreed that repatriation of German refugees from Austria and Czechoslovakia was part of a larger problem but that all movements would be arrested if complete plan were waited for, hence he suggested that a decision on certain phases of the problem be reached. The US member pressed for immediate action on the paper. Failure to reach an agreement led to consideration being deferred to the next meeting of the Directorate (Oct 9) at which time the US member stated he would ask for a vote on the proposal.

5. At a higher level, the Coordinating Committee considered on Oct 3 an American proposal which stated that the Czechoslovak Govt

³⁴ Not printed ; see footnote 24, p. 1282.

³⁵ For a description of the discussion in the Political Directorate on September 28, see telegram 652, September 30, noon, from Berlin, p. 1281.

³⁶ Prisoners of War and Displaced Persons Directorate of the Allied Control Authority.

³⁷ Brig. Gen. Stanley Raymond Mickelsen.

³⁸ Not found in Department files.

³⁹ Col. R. N. Thicknesse and Maj. L. R. de Rosen, respectively.

⁴⁰ Col. A. S. Yevseyev.

had agreed temporarily to suspend expulsions (see Dept's No. 477, of Sept 14, 8 p. m., rptd to Praha as number 277 [227]), and recommended that the Polish Govt be requested to do the same during the winter. General Sokolovsky attacked the proposal on the ground that Poland should not be treated in a category separate from Czechoslovakia or Hungary. He stated that the Russians had had no assurance that the Czechoslovaks had agreed to stop expulsions and that most of the refugees now entering the Soviet zone of Germany are from Czechoslovakia. He refused, however, to agree to a request for suspension addressed to Poland, Czechoslovakia, Hungary and Austria in spite of the Potsdam Agreement.

6. Excerpts from pertinent minutes and memoranda are being transmitted for your confidential information.⁴¹ You will be kept advised of developments.

Sent to Praha as 45; rptd to Dept as 727.

MURPHY

740.00119 Control (Germany)/10-1045: Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, October 10, 1945—7 p. m.
[Received October 10—2:30 p. m.]

739. Refer my telegram 45, October 9, 8 p.m.,⁴² relative to repatriation of German nationals from Czecho, repeated to Dept as No. 727.

For your confidential information Displaced Persons Directorate, in meeting October 9, agreed to recommend to Coordinating Committee that latter Committee authorize Czech delegation to proceed to Berlin to discuss repatriation of German refugees from Czechoslovakia. It was provided, however, that members of this delegation should be part of Military Mission⁴³ ultimately to be accredited to Allied Control Authority and not a separate commission. US member of Directorate argued for separate commission but was constrained to accept other view which was advanced by Soviet and concurred in

⁴¹ Minutes and memoranda from the Political Directorate, the Prisoner of War and Displaced Persons Directorate, and the Coordinating Committee were transmitted to the Embassy in Praha as enclosures to a letter from the United States Political Adviser for Germany, dated October 22, 1945, none printed. Copy of this letter and its enclosures not found in Department files.

⁴² See last paragraph of the telegram *supra*.

⁴³ The Coordinating Committee had approved a report proposing that applications to accredit missions to the Allied Control Council for Germany be accepted from 16 countries, including Czechoslovakia. For documentation on the negotiations in the European Advisory Commission and the Allied Control Authority regarding the representation in Germany of foreign countries, see vol. III, pp. 1084 ff., especially telegram 721, October 9, 9 a. m., from the United States Political Adviser for Germany, p. 1097.

by British and French. It was understood that ACA may call forward members of Czech Military Mission competent to discuss refugee transfers in advance of remainder of Mission.

Sent to Praha as 46, repeated to Dept as 739.

MURPHY

840.48 Refugees/10-1245

*The United States Political Adviser for Germany (Murphy) to the
Director of the Office of European Affairs (Matthews)*

BERLIN, October 12, 1945.

DEAR DOC: I have hesitated sending you the enclosed memorandum setting forth a point of view regarding the evacuation of the German population from the territory east of the Oder-Neisse line and from Czechoslovakia, for the reason that at Potsdam the American delegation did what it could to have the record show that while we agreed with the political decision, we insisted on its execution in an orderly and humane manner.

We here are not in a position to supply a complete picture of what has happened during the past months because we are unable to obtain an accurate account of what has happened from the Soviet and Polish authorities and we have not been able to send observers into the area for first-hand inquiry. However, scattered reports do come to us through OSS⁴⁴ and other sources, and individual members of the staff in Berlin have opportunity to see a cross section of the refugees who arrive in Berlin, notwithstanding the stringent restrictions against the entry of additional German civilians into the Berlin area.

I pass this on to you for whatever it may be worth, simply because I am uncomfortable in the thought that somehow in the future we may be severely blamed for consenting to be party to an operation which we cannot ourselves control and which has caused and is causing such large scale human suffering. There is, of course, the risk that even mentioning the matter exposes one to the charge of "softness" to the Germans. In this, as in respect to one or two other phases of the situation, I am not so much concerned regarding what is happening to the German population as I am regarding our own standard of conduct, because I feel that if we are willing to compromise on certain principles in respect of the Germans or any other people, progressively it may become too easy for us to sacrifice those same principles in regard to our own people. There are some features of the American way of life which I know we would not want to see jettisoned.

Yours ever,

BOB

⁴⁴ Office of Strategic Services.

[Enclosure]

*Memorandum by the United States Political Adviser for Germany
(Murphy)*

I shall set down for the Department my view of a situation concerning which I know our authorities are generally aware, but which I feel can only be fully understood in terms of the personal impression it has made on many Americans who are daily witnesses to the commonplace spectacle.

The constant flow of thousands of dispossessed German refugees from the Eastern areas continues. Trudging along the highways, carrying their odds and ends of small personal belongings on their backs or on small carts and perambulators, the vast bulk of them women, children, old people, in all states of fatigue, exhaustion, and disease—most of them the poor and small farmer elements—they present a pitiful sight. Most of them have been driven off the land and out of the towns of Germany east of the Oder-Neisse line. In the Lehrter Railroad station in Berlin alone our medical authorities state an average of ten have been dying daily from exhaustion, malnutrition and illness. In viewing the distress and despair of these wretches, in smelling the odor of their filthy condition, the mind reverts instantly to Dachau and Buchenwald. Here is retribution on a large scale, but practiced not on the *Parteibonzen*,⁴⁵ but on women and children, the poor, the infirm. The vast majority are women and children. Few able bodied German males in the age category from twenty to fifty years. This as the Department knows has been continuing for weeks and, while lessening, the end does not seem to be yet.

Alongside these unfortunates are the hundreds of thousands of invalidated German prisoners of war recently released by the Soviet Union. (According to the official Soviet statement, 412,000 were released.) Tattered, mutilated, filthy wrecks of men, they straggle along the country highways and the streets of Berlin in an endless procession of misery, dregs of the Herrenvolk, hoping somewhere to find refuge with their families. If they survive the trek—for many die en route—they are often grievously disappointed in the end as the bombings and the battle have eliminated what was home for many of them.

But these are men, or the vestiges of men, and many of us have become callous to the suffering of soldiers in this war. Our psychology adjusts itself somehow to the idea that suffering is part of the soldier's contract—especially when he is an enemy whom we have tried our best to kill in quantity over many months. That psychology loses some

⁴⁵ Party bigwigs.

of its elasticity, however, in viewing the stupid tragedy now befalling thousands of innocent children, and women and old people. Knowledge that they are the victims of a harsh political decision carried out with the utmost ruthlessness and disregard for the humanities does not cushion the effect. The mind reverts to other recent mass deportations which horrified the world and brought upon the Nazis the odium which they so deserved. Those mass deportations engineered by the Nazis provided part of the moral basis on which we waged the war and which gave strength to our cause.

Now the situation is reversed. We find ourselves in the invidious position of being partners in this German enterprise and as partners inevitably sharing the responsibility. The United States does not control directly the Eastern Zone of Germany through which these helpless and bereft people march after eviction from their homes. The direct responsibility lies with the Provisional Polish Government and to a lesser extent with the Czech Government. Recent Polish and Czech suffering at the hands of the Germans undoubtedly renders them callous to German suffering. While the Soviet Union apparently has concurred in and supported the mass movement, as far as we know, the actual process of driving by physical means or economic pressures the people from their homes and firesides lies with the Poles and the Czechs. With this point of view I know Ambassador Lane does not agree. He has informed me of his opinion that this policy of deportation is Soviet dictated and controlled. That deportations have not gone further in the Sudetenland has been in part due to the presence of our forces whose Commanders, in friendly but firm fashion, have told the local Czechs that certain acts simply cannot be tolerated in the name of humanity, but even so, ruthless evictions have occurred on a sufficiently large scale to antagonize many of our troops against the liberated Czech people.

At Potsdam the three Governments agreed that the transfer of populations should be conducted in an orderly and humane manner, and that Poland and Czechoslovakia should be requested to suspend temporarily evictions of Germans. Despite official assurances, evidence seems to show that little regard has been paid to either point, especially to Poland. Ambassador Lane feels that Soviet Russia would be in a position to put an end to such evictions if it so desired, because he states the Soviets are in physical control of Poland. It should be said in behalf of Soviet troops that many instances of assistance to individual refugees, such as transportation on Army wagons, etc. are daily to be seen.

As helpless as the United States may be to arrest a cruel and inhuman process which is continuing, it would seem that our Government could and should make its attitude as expressed at Potsdam unmistakably clear. It would be most unfortunate were the record to indi-

cate that we are *particeps* to methods we have often condemned in other instances.

840.4016/10-1545 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, October 15, 1945—6 p. m.

[Received 10:10 p. m.]

6050. Dept's 4613, October 3. Dejean ⁴⁶ informs me that he hopes shortly to have a definite reply concerning the evacuation of Germans from Austria. He said that immediately after I brought this matter to Bidault's ⁴⁷ attention on October 5 telegrams were sent to Generals Koenig and Béthouart ⁴⁸ requesting their views and asking for an estimate of the number of Germans who would be transferred into the French zone as a result of this evacuation. Koenig and Béthouart are now in Paris and Dejean says this question will be discussed with them "in the next day or two and believes a favorable reply will be forthcoming". ⁴⁹

Sent Dept as 6050, repeated London 755, Moscow 366, Berlin 163, Vienna 22.

CAFFERY

[For documentation regarding the transfer of German populations from Czechoslovakia as related to the question of the withdrawal of United States military forces from Czechoslovakia, see telegram S-28266, October 17, 1945, from the Commanding General, United States Forces, European Theater, to the Chief of Staff, United States Army, and memorandum by the United States Political Adviser for Germany to the Commanding General, United States Forces, European Theater, dated October 16, 1945, volume IV, pages 498 and 499, respectively.]

740.00119 Control (Germany)/10-1045 : Telegram

*The Secretary of State to the Ambassador in Czechoslovakia
(Steinhardt)*

WASHINGTON, October 19, 1945—4 p. m.

317. With reference to questions raised in urtel 417 Oct 3 Dept transmits following comments for your guidance in discussing population transfers with Zecho Govt:

⁴⁶ Maurice Dejean, Director General in charge of political affairs in the French Foreign Ministry.

⁴⁷ Georges Bidault, French Minister for Foreign Affairs.

⁴⁸ Général d'Armée Marie Emile Béthouart, Commanding General of French Forces in Austria and French Military Commissioner for Austria.

⁴⁹ Apparently there was no further report from Paris on this subject.

US recognizes importance Zecho Govt attaches to transfer of German population and is cognizant of long background of this problem. In Potsdam Agreement paragraph 13 the three powers recognized in principle that transfers would have to be made, but agreed that transfers should take place under international control in order to prevent chaos and undue suffering which would arise through mass expulsions on a unilateral basis. This decision was consistent with earlier replies by US to Zecho notes on German population question. On agreeing to international action, the three powers did not single out Zecho for unique treatment but linked Zecho with Poland and Hungary as most important area involving principle of international control and direction of population movements. Procedure was established in these three states as a matter of urgency prior to any general agreement on population movements for Europe as a whole.

Information has already been transmitted to you in Berlin's 46 Oct 10 ⁵⁰ that Zecho delegation chosen from proposed military mission to be accredited to Allied Control authorities will be received to present Zecho plan for orderly transfer. Dept wishes to make clear that throughout negotiations in Control Council US representative acted consistently on instructions that Zecho delegation should be received and plan studied before any decision was reached on postponement of population transfer. An examination of proceedings will show that activities of US representative can not be construed as dilatory tactics. You may wish to make it clear to Zecho Govt that US, having recognized principle of population transfer at Potsdam, has always been prepared to receive and discuss Zecho plan in Control Council but that assent of other three powers was necessary. Record of proceedings in Control Council does not show that other three powers, including Soviets, shared US position on this point.

It should be made clear that transfer of Germans from Zecho does not have to be made exclusively into US zone in Germany. US adheres to principle that Reich Germans in Zecho should be expelled to zone in which they previously resided. As for other Germans expelled by Zecho, Potsdam Agreement explicitly states that Control Council should examine question of equitable distribution among several zones of occupation. US can not assume unilateral responsibility for reception and care of Germans transferred from Zecho to US zone. Likewise, Dept is aware of fact that frontier area between Zecho and Germany is also occupied by Soviet troops as well as US troops. Reported action of Soviets (urtel 448 Oct 10 ⁵¹) in

⁵⁰ See last paragraph of telegram 739, October 10, 7 p. m., from Berlin, p. 1288.

⁵¹ Not printed; it reported that a Praha newspaper had published a Reuters news despatch from Berlin to the effect that Marshal Zhukov had agreed to the expulsion of 6,000 Germans daily from Czechoslovakia into the Soviet zone of occupation in Germany (740.00119 Control (Germany)/10-1045).

admitting six thousand Germans daily is not consistent with Soviet position in Control Council.

Dept agrees that immediate expulsion of Reich Germans from Zecho is four power responsibility and that Zecho should not be called on to support them during coming winter. As result of decision on reception of Zecho delegation, US is sending instructions to US-PolAd to urge that Control Council agree to immediate transfer of Reich Germans who fled into Zecho in closing days of war (urtel 368 Sep 20). With regard to Sudeten population as defined by Presidential decree of Aug 2,⁵² Dept insists that international action as defined in Potsdam Agreement is desirable and that four power decision in Control Council is necessary before action can be taken. You are therefore urged to correct impression that US is blocking the orderly repeat orderly expulsion of Germans.

Dept wishes to point out for your background information that many complaints have been received from US military personnel stationed in Zecho concerning treatment of Germans in that country. Although long and complicated background of German problem may not be known to US military personnel, their attitude is paralleled by indications of a growing public feeling in this country that Zecho state is not fulfilling response to Potsdam note and is employing methods which will ultimately affect excellent position which Zecho now has in western opinion.

We should also point out that Potsdam Agreement only recognized that the transfer of German populations or elements thereof would have to be undertaken. So far as we were concerned we wished to slow down indiscriminate and disorderly expulsions and avoid unnecessary hardships on the transferees and unnecessary burdens on the zones to which transfers were to be made. We recognized that certain transfers were unavoidable, but we did not intend at Potsdam to encourage or commit ourselves to transfers in cases where other means of adjustment were practicable.

BYRNES

740.00119 Control (Germany)/10-1045: Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, October 19, 1945—4 p. m.

694. Dept approves decision urtel 739 Oct 10 concerning arrangements for Zecho delegation to discuss population transfer.

In view of situation described in Praha's 368 Sep 20 repeated to you as 19, and 417 Oct 3 repeated to you as 24, Dept requests that

⁵² See footnote 97, p. 1276.

you bring urgently to attention Control Council fact that there are present in Zecho between 700,000 and 800,000 Reich Germans who fled there for safety during closing days of war. Dept considers that immediate removal is necessary of all Germans now in Zecho who did not formerly hold Zecho citizenship as defined in Presidential decree issued by Beneš on Aug 2, 1945.⁵³ Dept considers that immediate removal of these Germans is consistent with policy adopted towards other United Nations in Europe and does not believe that Zecho Govt should be called on to support Reich Germans during coming winter when such support is obviously four power responsibility. Dept would be willing to bring matter to attention of FonOffs in London, Paris and Moscow and to request instructions to representatives in Berlin to receive in their respective zones all Reich Germans formerly residing there who are now located in Zecho if you consider action necessary.

Repeated to Praha as 318.

BYRNES

800.4016 DP/10-2145 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, October 21, 1945—11 a. m.

[Received October 21—8:07 a. m.]

821. Prisoners of War and Displaced Persons Division inquires whether reference contained in Article XIII of the Potsdam report referring to "Poland" also includes new Poland as defined in Article IX B⁵⁴ of the report. This information desired in order to transfer the correct populations from Poland into occupied Germany.

This office has replied that in view of wording of Article IX B of the report on the Tripartite Conference of Berlin, namely that the area referred to therein "shall be under the administration of the Polish State and for such purposes shall not be considered as a part of the Soviet zone of occupation in Germany", it is believed that such areas should not be regarded as part of Germany, but as coming under the administration of the Polish State. Hence they should be considered as a part of Poland within the meaning of Article XIII of the report.

Please instruct urgently by telegraph whether the above statement is satisfactory.

MURPHY

⁵³ See footnote 97, p. 1276.

⁵⁴ *Conference of Berlin (Potsdam)*, vol. II, p. 1509. For further documentation, see *ibid.*, index entries under Poland: Frontiers and areas of administration, vol. I, p. 1077, and vol. II, p. 1631.

862.00/10-2345 : Telegram

*The United States Political Adviser for Germany (Murphy) to the
Secretary of State*

BERLIN, October 23, 1945—11 a. m.

[Received 4:40 p. m.]

830. The Department will be interested in USFET's S-28399 of October 18⁵⁵ reporting indications of a critical situation developing in Silesia and eastern Germany resulting from the mass exodus westward of German inhabitants. According to this report the death and disease rate in camps extremely high, unprecedented lack of food, medical supplies, and doctors. Estimated 2½ to 3 million victims of malnutrition and disease between the Oder and Elbe by next spring. Breslau death rate reported increased ten-fold and death rate reported to be 75% of all births. Spreading typhoid, typhus, dysentery, and diphtheria.

According to this report which was prepared by G-2,⁵⁶ total number potentially involved in westward movement to Russian zone of occupation in Germany from Poland and Czechoslovakia about 10 million, with an estimated 65 to 75% already departed or on the road westward. No coordinated measures yet taken to direct stream of refugees into specific regions or to provide food and shelter. Report invites attention in this connection to serious danger of epidemic of such proportion as to menace all of Europe, including our troops, and to probability of mass starvation on unprecedented scale.

MURPHY

740.00119 Control (Germany)/10-2445 : Telegram

*The United States Political Adviser for Germany (Murphy) to the
Secretary of State*

BERLIN, October 24, 1945—11 a. m.

[Received 2:25 p. m.]

834. Reference Department's 694, October 19, 4 p. m. relative introduction of Czechoslovak delegation to discuss population transfer.

1. Information contained in Praha's 368, Sept 20, 7 p. m. and 417, October 3, 5 p.m. to Dept has been brought to attention of POW and DP Division, OMGUS,⁵⁷ and has entered into discussions in POW and DP Directorate, ACA (Armament Control Administration [*Alien Control Authority*]), on repatriation of German populations outside of Germany. As the Dept is aware arrangements are now in process regarding resettlement of German nationals within Germany

⁵⁵ Not found in Department files.

⁵⁶ Intelligence section.

⁵⁷ Prisoners of War and Displaced Persons Division, Office of Military Government for Germany (US).

including those in Austria. The latter now have priority as a direct result of plea of General Eisenhower in Control Council ⁵⁸ which was made under WD ⁵⁹ instructions.

2. Some informal and unofficial return into the American zone of Reichsdeutsche from Czechoslovakia is understood to be under way and undoubtedly will increase as repatriation of Polish displaced persons from Germany is accelerated. According to a statement made by General Sokolovsky in the Coordinating Committee large numbers of Sudeten Germans are coming into the Soviet zone of occupation. POW and DP Directorate has laid down principle that, regardless of priorities established, no rail transportation shall be wasted and as Polish displaced persons are repatriated across Czechoslovakia, returning trains can pick up Reichsdeutsche for return to Germany.

3. For orderly transfer of populations it will be necessary that *Kreis* of origin of Reichsdeutsche under reference be known. Transportation mentioned in paragraph 2 originates and terminates in United States and French zones which already have surplus German refugee population. United States military effort in repatriating displaced persons has been to reduce to minimum dependent population in United States zone before winter.

4. Reference my 46, October 10, 7 p. m. to Praha, repeated to Dept. as 739. Political Directorate, ACA, was instructed on October 22 by Secretariat to notify Czech Govt that it was authorized to send into Germany as part of its military mission three members to discuss population transfers. Actually authorization has already been informally delivered in that French member of POW and DP Directorate delivered a copy of authorization to an unnamed Czech envoy passing through Berlin en route to Praha some time before Oct 19. It is opinion of POW and DP Division that Czech delegates may already be on way to Berlin. Under these circumstances it is believed that many, if not all, of difficult issues involved in expulsion of Germans from Czechoslovakia will soon be in process toward acceptable solution.

5. No objection is perceived to Dept bringing matter to attention of Foreign Offices in London, Paris and Moscow. It is believed more practicable, however, that an attempt be made first to settle these problems with Czech delegation in Berlin through POW and DP Directorate with appeal to Foreign Offices being a resort in case local negotiations do not progress satisfactorily.

⁵⁸ In his telegram 666, October 2, 1945, noon. the United States Political Adviser for Germany reported on the seventh meeting of the Allied Control Council for Germany, held on October 1. In the course of this meeting, General Eisenhower, the American member of the Council, raised the question of the return to Germany of the 150,000 or more Reich Germans in the United States zone of Austria and stated that the question was becoming critical in Austria and needed speedy consideration. (740.00119 Control (Germany)/10-2445)

⁵⁹ War Department.

6. Brig. General Stanley R. Mickelsen, director, POW and DP Division, OMGUS, is United States member on POW and DP Directorate. He and his staff are in constant consultation with my office and a member of my staff attends POW and DP Directorate meetings in advisory capacity only.

Sent to Dept as 834, repeated to Praha as 53.

MURPHY

740.00119 Control (Germany)/10-3145

*The Czechoslovak Minister for Foreign Affairs (Masaryk) to the American Ambassador in Czechoslovakia (Steinhardt)*⁶⁰

No. 46208/II-3/45

PRAGUE, October 24, 1945.

DEAR AMBASSADOR: Referring to your note of the 5th inst., No. 239,⁶¹ in which, under instructions from your Government, you expressed the desire to receive for the Interallied Control Council in Berlin information regarding the number of Germans to be transferred out of the Czechoslovak Republic, together with reports as to their age/ showing the persons over sixty and under twelve/, sex and occupation, I beg to inform you that for transfer there come into consideration 2,500.000 Germans and that their classification as to sex and age is as follows:

Boys under 12 years of age	322.000
Girls " " " " "	314.000
Men from 13 to 60 years of age	541.500
Women " " " " " "	1,010.000
Men over 60 years of age	140.500
Women " " " " "	172.000
total	2,500.000

The classification as to occupation/this applies to employees and the members of their families/is as follows:

	<i>in percent</i>	<i>number of inhabitants</i>
agriculture	22	550.000
forestry	1.6	40.000
mines and forges	1.2	30.000
other industry	43	1,075.000
commerce and finances	8.5	212.500
transport	4	100.000
public services and free professions	4.5	112.500
household and personal services	2.9	72.500
other occupations	12.3	307.500
	100. %	2,500.000

⁶⁰ Copy transmitted to the Department by the Ambassador in his despatch 194, October 31; received November 19. A copy was sent to the United States Political Adviser for Germany in Berlin.

⁶¹ Not found in Department files.

The above statistics are the result of various administrative inquiries made under complicated post-war conditions. Possible inaccuracies, however, in respect of the categories in question may fluctuate merely within the limits of an insignificant percentage.

Exact and absolutely indisputable information could only be provided by a regular census. This as well as the working up of the obtained figures would even under normal conditions require long preparations. Under the present circumstances a regular census could not be carried out.

Accept [etc.]

JAN MASARYK

840.4016/10-2545

The French Embassy to the Department of State

[Translation]⁶²

AIDE-MÉMOIRE

The French Government has been requested by the Prague Government to allow the immigration of 500,000 Sudetenland Germans (men, women, and children), former nationals of the Czechoslovak Republic, into the French zone of occupation in Germany.

The French Government considers it essential, before replying to the Czechoslovak request, for the four great Powers to establish a joint policy in this regard.

Such a policy might, it appears, be guided by the following principles:

1. The Sudetenland immigrants who would be authorized to enter each zone should be numerically limited to fixed quotas for each zone, taking into account available housing, food, and employment. It would be the responsibility of the Control Council to determine these quotas, which might be established for fixed periods spaced at intervals. If the conditions attending the absorption of the first quota proved satisfactory, the admission of the ensuing quotas might be authorized at the proper time.

2. The Sudetenland immigrants admitted to each zone would constitute a labor pool from which each of the governments concerned would be authorized to draw on the basis of its individual needs, after thorough investigation of the technical qualifications of the immigrants, their health, political conduct, etc. . . . It seems difficult to authorize the employment in France of free German labor concurrently with that of prisoners. The possibility of admitting Sudetenland Germans from the French zone to France therefore does not appear feasible until some later date.

3. The arrival of Sudetenland Germans in the French zone of occupation, whose resources are limited, threatens to increase imports,

⁶² Translation supplied by the editors.

which will have to be made from other parts of Germany or from abroad, principally the United States. In as much as these last are payable in dollars, the French Government, whose available dollar assets are limited, could not undertake to pay for this additional category of imports.

In these circumstances, the expenditures necessitated by the East-West shift and maintenance of the Sudetenland immigrants in Germany should be assumed by an international organization possessed of sufficient resources. Although assistance from UNRRA should, in principle, be given only to members of the United Nations, it appears that this organization, which has very extensive resources at its disposal, might, jointly with the Intergovernmental Refugee Committee, defray the costs in question.

4. By reason of the service that the United States, France, the USSR, and Great Britain would render Czechoslovakia in agreeing to place Sudetenland Germans in their occupation zones and possibly in their national territory, it would be advisable to obtain in return from the Prague government its agreement:

(a) To keep the persons concerned in its territory for the time being, pending their placement in Germany, and to take no action in the matter without the consent of the four Powers administering the former Reich;

(b) Not to cause the return of Czechoslovaks living abroad to their country of origin except by agreement with the governments of the countries in which they are presently residing and in accordance with procedures to be formulated, taking into due consideration the freedom of choice of the persons concerned and transportation facilities.

5. The shift of the Sudetenland peoples is but one aspect of the general problem of population shifts in Europe, which is of vital importance to the political and demographic future of this continent. The question is therefore eminently within the competence of the four principal Allied Powers.

The Embassy of France would be happy to learn the views of the American authorities in this matter.

WASHINGTON, October 25, 1945.

840.4016/10-2645 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, October 26, 1945—2 p. m.
[Received October 26—12:36 p. m.]

854. I refer to the desire of the Czechoslovakian Government to send to the Allied Control Commission in Berlin a special delegation

to discuss the transfer of Germans from Czechoslovakia into Germany. The Department will recall that the question of population transfers has been referred to the Directorate of Prisoners of War and Displaced Persons. That Directorate has decided to receive the Czechoslovakian Delegation under certain circumstances, and, on behalf of the Allied Control Commission it requests me to send the following message to the Czechoslovakian Government through the normal diplomatic channels:

"The Allied Control Commission for Germany hereby notifies the Government of Czechoslovakia that it accepts the offer of that Government to send a delegation to Berlin to discuss the transfer of German populations with the Directorate of Prisoners of War and Displaced Persons. However, in view of the very great difficulties in obtaining food and accommodation in Berlin, the Allied Control Commission conditions this acceptance upon the inclusion of this delegation within the Military Mission of 10 members which the Czechoslovakian Government is now planning to send to Berlin."

I therefore request the Department to transmit the above message to the appropriate Czechoslovakian authorities.⁶³

MURPHY

800.4016 DP/10-2145 : Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, October 26, 1945—6 p. m.

744. For administrative purposes involving transfer of populations, your statement cited in urtel 821, Oct 21, is considered accurate. Such interpretation, however, is not intended to prejudice agreement at Potsdam that final delimitation of Poland's western frontier should await peace settlement. Nor does Dept interpret Article XIII to encourage immediate mass transfers of German populations from Poland.

While Potsdam agreement stipulated that any transfers that take place should be effected in an orderly and humane manner, information contained in urtel 830, Oct 23 casts grave doubt on orderly character of present transfers under way. We are opposed to precipitous and disorderly transfers and, if you deem practicable, we would support refusal to proceed with equitable distribution among occupation zones of Germans transferred in irregular and disorderly circumstances.

BYRNES

⁶³ Acting under instructions from the Department, the Ambassador in Czechoslovakia transmitted the message quoted above in his note No. 325, November 5, 1945, to the Czechoslovak Foreign Minister.

740.00119 Control (Germany)/10-2845 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

[Extracts]

BERLIN, October 28, 1945—1 p. m.

[Received October 29—10:55 a. m.]

869. The sixteenth meeting of the Coordinating Committee took place on Oct 26 with the French member ⁶⁴ presiding.

The Prisoners of War and Displaced Persons Directorate submitted a plan for population transfers. The plan sets forth priorities in movements as follows: (1) displaced persons, (2) persons in all categories whom the Four Powers have agreed to transfer on a head for head basis, (3) others. Category (2), under present arrangements, includes German refugees in Austria but not in Czecho. However, the paper provides for the maximum use of transport facilities, and an understanding has been reached with the American delegation on the Prisoners of War and Displaced Persons Directorate that transport used to take Polish DP's (Displaced Persons) to Poland will be routed back through Czecho so as to pick up Reichs Deutsche refugees there. The paper makes the rough estimate that the total German population to be transferred is about 12 million. The Russian member called attention to the urgency of this problem and the British member referred to the fact that a large scale movement of population is already going on during the discussions on an unofficial basis. This should be taken into account.

MURPHY

840.4016/10-3045 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, October 30, 1945—10 p. m.

[Received October 31—3 p. m.]

889. Reference second paragraph Dept's 744, October 26, 6 p. m., regarding precipitous and disorderly transfers of German populations out of Czechoslovakia and Polish controlled territory into Soviet Zone.

It is not believed refusal to proceed with equitable inter-zonal distribution of German populations expelled irregularly offers a solu-

⁶⁴ Gen. Louis Marie Koeltz, French Deputy Military Governor in Germany.

tion to problem. Such expulsions as have taken place have been across German external boundaries and thus involve more than inter-zonal agreements. Origin of these German populations is primarily Poland and Czechoslovakia and in so far as movements are involuntary control rests with Polish and Czechoslovakian Govts and not with Zone commanders or CC (Control Council) (Germany). Official Czech policy, as stated in Dept's 477, September 14, 8 p.m., is non expulsion except in orderly and humane fashion. Only information available here relative to official Polish attitude is that latter are disposed to be helpful as outlined in Warsaw's 53, September 15, 1 p.m., repeated to Dept as 257.

Expellees, whether by orderly or irregular transfers, are already in eastern Germany. As indicated in my 758, October 12, 8 p.m.,⁶⁵ some of these persons will be resettled in initial inter-zone transfers (step one) and plans are already far under discussion relative to acceptance and resettlement of remainder. General Clay⁶⁶ has strongly indicated to POW and DP (Displaced Persons) Division that he wishes US to accept as soon as possible all German population, refugee or minority, that appropriately belong or are allocated to US Zone.

MURPHY

840.4016/10-3145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 31, 1945—8 p.m.

[Received October 31—8 p.m.]

11393. FonOff has at last replied under yesterday's date to our letter based on Dept's 8761, October 3, 8 p.m.⁶⁷ concerning repatriation of Reich Germans. It states British Military in Germany have been advised of our urgent desire that such Germans be removed from Austria and expresses confidence that everything possible will be done to arrange their removal as quickly as practicable. It refers to efforts in Control Commission in Germany to work out between the Four Powers general scheme for resettlement of Germans and states British political representative in Germany has just reported that scheme is now beginning to take shape along reasonably satisfactory lines.

Sent Dept as 11393; repeated Paris as 702, Moscow as 373, Berlin as 251, and Vienna as 75.

WINANT

⁶⁵ Not printed; it reported on the plans and procedures for transfers and settlement of German populations actively being considered by the Prisoners of War and Displaced Persons Directorate of the Allied Control Authority (800.4016 D. P./10-1245).

⁶⁶ Lt. Gen. Lucius D. Clay, Deputy Military Governor, United States Zone in Germany.

⁶⁷ See footnote 32, p. 1286.

860F.00/10-3145 : Telegram

The Ambassador in Czechoslovakia (Steinhardt) to the Secretary of State[Extract]⁶⁸

PRAHA, October 31, 1945—midnight.

[Received November 3—1:15 p. m.]

509.

6. As to the expulsion of the Sudeten Germans, Beneš said he quite understood the desire of the Allies for delay where so substantial a movement is concerned but that as the political pressure for expulsion continues to increase he was experiencing great difficulty in restraining irregular expulsions which were bound to take place on an increasing scale.

STEINHARDT

840.4016 DP/10-3145

The United States Political Adviser for Germany (Murphy) to the Secretary of State

No. 1224

BERLIN, October 31, 1945.

[Received November 15.]

SIR: I have the honor to refer to that portion of my secret telegram no. 869 of October 28, 1945, 1 p. m., which advised the Department of action taken by the Coordinating Committee on a paper submitted by the Prisoner of War and Displaced Persons Directorate relative to population transfers. There is transmitted under cover of this despatch a copy of this preliminary plan.⁶⁹

The plan outlined in this paper was approved by the Coordinating Committee and was returned to the Prisoner of War and Displaced Persons Directorate for implementation. At the meeting of this Directorate on October 29, 1945, the American member introduced a memorandum⁷⁰ for this purpose. The latter provides given percentages of the populations covered who will be repatriated monthly to their respective homes. The plan envisages complete resettlement of all the subject German nationals by August 1, 1946. This plan will be considered by the Directorate at its next meeting which is scheduled for November 10, 1945.

⁶⁸ For the other portions of this telegram, see vol. iv, p. 503.⁶⁹ Not printed.⁷⁰ Not found in Department files.

German refugees in Denmark, which were the subject of Copenhagen's confidential despatch no. 166 of September 17, 1945 which was transmitted to this Mission under cover of the Department's confidential instruction no. 464 of October 18, 1945 (840.48 Refugees/9-1545),⁷¹ are included in this overall plan. The Legation in Copenhagen has been apprized of this fact.

Respectfully yours,

For the United States Political Adviser:
LOYD V. STEERE
Counselor

840.4016/10-2545

The Department of State to the French Embassy

MEMORANDUM

The Department of State refers to the *aide-mémoire* of the French Embassy dated October 25, 1945 (No. 852 AB/AC) concerning the transfer of the Sudeten population from Czechoslovakia. No official request has been received by the United States Government regarding the admittance of a specific number of Sudeten Germans into the United States zone in Germany.

The policy of the United States Government with respect to the transfer of the Sudeten population is based on the principles enunciated in paragraph 13 of the Potsdam Agreement. The United States in that agreement recognized in principle that the transfer would have to be made but that it should be made in an orderly and humane manner and that the Sudeten German population should be equitably distributed among the several zones of occupation in Germany. The Allied Control Council in Berlin has been requested to determine the method and time of the transfer as well as the distribution among the several zones. The Czechoslovak Government has prepared a plan designed to carry out the principles of the Potsdam Agreement, which will be presented by the Czechoslovak Mission to the Control Council for discussion.

The Department of State considers that in order to provide an equitable distribution of the Sudeten population within Germany the Control Council should determine the rate of transfer in terms of the ability of the several zones to absorb an increased population. Consequently, a mass expulsion of the Sudeten Germans by the Czechoslovak Government or the transfer of 500,000 Sudeten Germans to any one zone in Germany is considered to be neither desirable nor feasible. After the arrival of the Sudeten population in the

⁷¹ Neither printed.

zones, the Department of State considers that supervision of the Sudeten population in Germany should be exercised by the Prisoners of War and Displaced Persons Directorate of the Allied Control Council in order to provide standards of health and sanitation consistent with the treatment of the German population as a whole. The Department of State does not consider that any international agency or special administrative service is required to administer the Sudeten population in Germany and recommends that the supervision be exercised by the appropriate agency of the Allied Control Council in order to achieve a rapid assimilation of the Sudeten population into the present German population. In this regard the additional supplies required by the Sudeten population would be absorbed into the general requirements for the whole of Germany.

In as much as the movement of the Sudeten population will have an important effect on the political, economic and demographic organization of the Continent of Europe, the Department of State considers that it should be treated in such a way by the four Allied powers as to prevent a dislocation of the Czechoslovak economic system.

WASHINGTON, November 7, 1945.

840.4016/11-1445

The American Representative in Hungary (Schoenfeld) to the Secretary of State

No. 546

BUDAPEST, November 14, 1945.
[Received December 3.]

SIR: I have the honor to inform the Department that the Hungarian Government has notified this Mission in a note, dated November 9, 1945, that no instructions have as yet been received by the government from the Allied Control Commission regarding the transfer of the German minority in Hungary. The note, quoted below, states further that the Hungarian Government has made all preparations for the eventual transfer of the Nazi and anti-national elements of this minority and adds that only those Germans who were being repatriated through Hungary to Yugoslavia have been returned to Germany after the Yugoslav authorities had refused permission for their entry.

"Hungarian Ministry for
Foreign Affairs

32.720/pol.—1945

"The Hungarian Government presents its compliments to the United States Mission in Hungary and has the honour to inform the Mission of the following.

"For the past few weeks the English newspapers referring to Parliamentary debates etc. and the information service of the English radio have been discussing the transfer to Germany of German populations or elements thereof remaining in Hungary, Poland and Czechoslovakia.

"In these communications Hungary is repeatedly mentioned together with Czechoslovakia and Poland.

"For this reason the Hungarian Government takes the opportunity to state the following.

"Those informations that Hungary belongs to the countries from where the Germans are being transferred do not correspond to the facts because Hungary accepted the principle that any transfers that take place should be effected in an orderly and humane manner.

"The decision of the Allied Powers in Potsdam was that the Germans must be resettled, but this can take place in the case of Hungary only in accordance with the instructions to be given by the Allied Control Commission. In view of this the Hungarian Government made all preparations to the eventual transfer of Nazi and anti-national German elements and at present is waiting for the instructions of the Allied Control Commission.

"Considering the fact that up to the present no instruction has been received by the Hungarian Government, Hungary has not expelled any German domiciled in Hungary.

"Only those one and half thousand Germans were made to leave Hungary who crossed Hungary on their way back to Yugoslavia from Germany and had their domicile in Yugoslavia, but the Yugoslavian authorities did not allow them to enter Yugoslavian territory. Under these circumstances the Hungarian Government was obliged to send them back where they came from.

"The Hungarian Government would be much obliged if the United States Political Mission would be so kind to inform the Government of the United States of the above facts.

"Budapest, November 9, 1945."

Respectfully yours,

For the Minister:
JOHN PEABODY PALMER
Secretary of Mission

840.4016/11-1545 : Telegram

*The United States Political Adviser for Germany (Murphy) to the
Secretary of State*

BERLIN, November 15, 1945—11 a. m.
[Received 9:30 p. m.]

1015. POW and DP Directorate in meeting November 13 adopted plan for transfer of German populations from Czecho, Poland, Hungary, and Austria. Plan was advanced by Soviet member but was outgrowth and based largely on a previously submitted US project. Plan provides for scheduled, regular and orderly movements of German populations beginning December 1, 1945 and extending through

July, 1946. Under it Germans from Poland (estimated at 3,500,000) would be accepted into Soviet (2 million) and Britain (1,500,000) zones. Those from Czecho, Hungary, and Austria (estimated at 3,150,000) would be transferred to Soviet (750,000 from Czecho alone) US (2,250,000) and French (150,000). So far as transfer into British zone is concerned this will begin only when 1 for 1 refugee exchange now in process between British and Soviet zones is completed, which British member anticipates at present rate will not extend beyond Dec. 1. It was further agreed that because of difficult food situation in France and in French zone, French would not be committed to accept German populations prior to April 15, 1946. It is proposed that Govts of Czecho and Poland and Allied Control Commissions in Hungary and Austria shall be advised of plan when it is approved and is ready for operation.

Plan must be approved by Coordinating Committee prior to implementation. It is hoped latter will act at its meeting November 16.⁷²

French position represents an about face from that maintained in POW and DP Directorate meeting November 10. In plan as originally presented, French zone was allotted quota of 650,000 Germans from Czecho and Austria. At that time French member stated he was authorized to accept 250,000 German refugees now in US zone who formerly were domiciled in French zone, but would be unable to accept any further German populations from any source. Soviet member proposed that French allocation be distributed between the Soviet and US zones, 500,000 from Czecho to former and 150,000 from Austria to latter. This compromise patently was worked out in advance and French member eloquently supported it as "a good business proposition" wherein the US zone would relinquish 250,000 persons and receive only 150,000 persons. US member stated he was unable to accept the Soviet amendment because resettlement of German populations in Germany was a quadripartite responsibility and was completely separate from transfer of German refugees from one zone to another within Germany. He stated his opposition was not based upon numbers involved but upon principle of quadripartite participation in German affairs. French remained adamant in their

⁷² In his undated telegram 1049 (received November 19), the United States Political Adviser for Germany reported on the 21st meeting of the Coordinating Committee, held November 17. At this meeting, the Coordinating Committee accepted and referred to the next meeting of the Allied Control Council the report of the Prisoners of War and Displaced Persons Directorate providing for an orderly and phased transfer of German populations from Czechoslovakia, Poland, Hungary, and Austria (740.00119 Control (Germany)/11-1945).

In his telegram 1066, November 21, 11 a. m., the United States Political Adviser for Germany reported on the 12th meeting of the Allied Control Council which, *inter alia*, approved the report on the transfer of populations and agreed to immediate publicity for the report which was to be forwarded formally to the governments of Czechoslovakia and Poland and to the Allied Control Councils for Austria and Hungary (740.00119 Control (Germany)/11-2145).

point of view, however, and November 10 meeting closed with agreement by all concerned to seek new instructions and to reconvene on November 13 further to discuss the basic plan.

In latter meeting original US position was maintained with intent of throwing matter into Coordinating Committee for reconciliation, but French acceptance of 150,000 Germans from Austria made cut possible solution of impasse within POW and DP Directorate.^{72a} Soviet and US members agreed to accept equally in their respective zones the remaining 500,000 German population from Czecho.

Sent to Dept as 1015, repeated to Warsaw as 82, to Prague as 64, to AusPolAd as 35, and US Representative, Budapest, as 11.

MURPHY

740.00119 Control (Germany)/11-2145 : Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, November 23, 1945—5 p. m.

926. Urtel 1066 Nov 21.⁷³ Dept regrets delay in taking action on your letter and memo to Matthews of October 12 regarding population transfers since it agrees with you that US Govt should make clear its attitude. In meantime Dept has noted with satisfaction Control Council has adopted program for orderly and humane transfers.

Dept contemplates sending at once to Polish Govt following note which would be repeated to our Ambassadors at Moscow, London, Paris, Praha, USPolAd Berlin, AusPolAd Vienna, USRep Budapest with instructions to inform respective Govts or Allied colleagues. Please telegraph at once if you approve this procedure and text of proposed note.⁷⁴

Text of note to Warsaw: US Govt has been seriously perturbed by reports of continued mass movements of German refugees who appear to have entered Germany from areas east of the Oder-Neisse line. Reports indicate these refugees—mostly women, children and old people—have been arriving in terrible state of exhaustion and disease. Such mass distress among weak and helpless is not in accord with Potsdam Agreement, Paragraph 13 of which stipulates that population transfers shall be conducted in orderly and humane manner.

US Govt is informed that Control Council in Berlin has adopted program for orderly and humane transfers of German population

^{72a} Sentence apparently garbled.

⁷³ See second paragraph of footnote 72, p. 1308.

⁷⁴ In his telegram 1131, November 29, 1 p. m., the United States Political Adviser for Germany replied that he believed that the Department's proposed note would be helpful in at least clarifying the American attitude on the question even though it might not materially improve immediate conditions (740.00119-Control (Germany)/11-2945). A few specific changes in the text of the note were suggested and were incorporated in the instructions sent to Warsaw in telegram 310, November 30, 6 p. m., p. 1317.

from Poland, Czechoslovakia and Hungary. US Govt hopes Provisional Polish Govt will wholeheartedly cooperate in carrying out that program in the spirit of Paragraph 13, Potsdam Agreement.

BYRNES

840.4016/11-2345

The United States Political Adviser for Germany (Murphy) to the Secretary of State

No. 1368

BERLIN, November 23, 1945.

[Received December 10.]

SIR: I have the honor to refer to my secret telegrams no. 1015 of November 15, 11 a. m., no. 1049 of November 17, 8 p. m. and no. 1066 of November 21, 11 a. m.⁷⁵ The first of these outlined the program developed in the Prisoner of War & Displaced Persons Directorate, Allied Control Authority, for the repatriation of German minorities from Poland, Czechoslovakia, Hungary, and Austria. It was stated in the second telegram that the Coordinating Committee had approved the plan submitted to it by the Directorate and had referred it to the Control Council. The latter accepted the plan in its Twelfth Meeting as stated in the third telegram. There is transmitted with this despatch, for the Department's information, a copy of the plan drawn up by the Directorate of Prisoners of War & Displaced Persons.⁷⁶

As outlined in my secret telegram no. 758 of October 12, 8 p.m.⁷⁷ and as envisioned in the plan for the overall transfer of German populations transmitted in my secret despatch no. 1224 of October 31, 1945, the resettlement of German populations falls within two broad categories, the first being the transfer back to areas of former domicile of those German nationals displaced within Germany as a consequence of the war and the second being the resettlement within Germany of Reichsdeutsche and Volksdeutsche from beyond the boundaries of occupied Germany.

Partial resettlement of internally displaced German nationals was provided for in the plan forwarded with my secret despatch no. 1223 of October 30, 1945.⁷⁸ The program of the interzonal exchange of German populations on a one for one basis provided therein is now proceeding between the United States and Soviet Zones and between

⁷⁵ With regard to telegrams 1049 and 1066, see footnote 72, p. 1308.

⁷⁶ Enclosure not printed; for text of the plan for the transfer of the German populations to be moved from Austria, Czechoslovakia, Hungary, and Poland into the four occupied zones of Germany, see telegram 1147, November 30, from Berlin, p. 1316.

⁷⁷ See footnote 65, p. 1303.

⁷⁸ Not printed.

the British and Soviet Zones. Remaining interzonal exchanges still await implementation. According to present estimates, the United States Zone contains approximately 1,345,000 Germans who belong in one of the other three zones in Germany. The numbers belonging in the Soviet Zone are 820,000, in the British Zone 300,000, and in the French Zone 225,000. It is estimated that there are in the Soviet Zone approximately 500,000 German nationals whose former domiciles were in the United States Zone, about 75,000 in the British Zone, and approximately 60,000 in the French Zone, a total of 635,000 to be received into the United States Zone on the basis of the one for one transfer. As a consequence of these exchanges, the United States Zone will be left with a residue or excess of roughly 750,000 German nationals who formerly resided in other zones. At the present time, with the exception of the French acceptance from the United States Zone of all German nationals formerly resident in the French Zone, as communicated in the first telegram under reference above, no provision has been made for the transfer of the remainders respectively belonging in the Soviet and in the British Zones. In view of the acute housing and food situation in and the fundamentally industrial character of the British Zone, its absorptive capacity is relatively low, hence not much hope is entertained that the British will be able to take the 225,000 German surplus now in the United States Zone who formerly resided in the British Zone, particularly as in the plan outlined for the transfer of German minorities enclosed in this despatch, the British are receiving approximately 1,500,000 German nationals whereas their expectation did not exceed 1,000,000. It is possible that the Soviet Zone will be willing to accept the 320,000 German nationals in the US Zone if the attitude displayed by the Soviets in the discussion on the plan under reference prevails. At that time when the French member of the Prisoner of War & Displaced Persons Directorate stated the French Zone would be unable to accept any German minorities (see telegram first under reference above), the Soviet member suggested that the 650,000 German nationals allotted to the French Zone be divided between the Soviet and the United States Zones on the basis of 500,000 to the former and 150,000 to the latter. The subsequent allocation under which the French accepted 150,000 minorities gave only 250,000 to the Soviet Zone and since the surplus in the United States Zone of German nationals formerly resident in the Russian Zone is only 70,000 more than the numbers which the Soviet Zone would have absorbed under the initial proposition, it is quite possible the latter would be willing to have the 320,000 surplus now in the United States Zone.

The second phase of the resettlement of German populations—that of repatriating those from beyond the bounds of occupied Germany—

is undertaken in the program which is transmitted with this despatch. It will be noted that in this plan arrangements are made for the transfer of approximately 6,650,000 persons, of whom 3,500,000 will come from Poland, 2,500,000 from Czechoslovakia, 500,000 from Hungary, and 150,000 from Austria. The Polish areas included in these calculations contains those eastern regions of Germany which are now under Polish administration. It is estimated that the population of this latter area in 1939 was slightly more than 8,500,000. While exact data are not available, it is believed that approximately 5,000,000 of the 1939 figure have already abandoned this area. It is known, for example, that in August and September 1945 approximately 500,000 German refugees per month came into Berlin alone, purely on a transient basis before being sent further westward and practically all of these persons came from the east. The rate recently has been somewhat reduced but nonetheless great. According to statistics secured from the Department for Expelled and Returning Persons (Abteilung Ausgewiesene und Heimkehrer, Hauptamt für Sozialwesen) Magistrat of the City of Berlin, there arrived in Berlin in the period September 20-26, 1945, inclusive, 42,842 German refugees of whom 20 per cent came from East Prussia, 19 per cent from West Prussia, 18 per cent from Neumark, 17 per cent from Silesia, 14 per cent from Pomerania, 5 per cent from Warthegau, 1 per cent from Czechoslovakia and the remaining 6 per cent from various places in Germany. The same source indicates that between September 27-October 5 inclusive, 49,611 German refugees arrived in Berlin and from October 7-13 inclusive, 29,283 refugees entered, with approximately the same distribution in each case among sources as was indicated for the previous lot. It is believed among refugee authorities that a downward trend, indicated by this latter figure, has set in and will continue.

Members of my staff who have seen the refugee trains from the East arrive state that the condition of these people is in most instances pitiable. The stories told by individuals talked to at random indicate that they were evacuated from their former homes with little advance notice and in many cases were harried from the time they left their homes almost until the time they reached Berlin. They tell tales of progressive robbing and the taking of the few possessions they were allowed to remove from their homes and most of the individuals arriving in Berlin have had only a small amount of hand luggage. While final conclusions cannot be deduced from these limited observations, other evidence which has come to the attention of the Mission from widely assorted sources indicates that the pattern of ill treatment and robbery is widespread.

The last paragraph of the enclosed plan provides that immediately after its approval, the Governments of Czechoslovakia and Poland and the Control Commissions of Austria and of Hungary will be in-

formed of its terms. By this device it is hoped that expulsions, such as those which have been taking place, will be completely eliminated and that the orderly transfer of German populations will remove the political pressure upon the Governments of Poland and Czechoslovakia. Copies of the enclosed plan are being transmitted to the Missions concerned.

There has been established in the United States Zone an Evacuation and Resettlement Committee, made up of twenty German citizens representing the three Länder in the United States Zone, which prepares recommendations on pertinent matters for the Minister Presidents. In a meeting at Stuttgart on November 11, 1945, the problem of resettling German evacuees was discussed. The Committee was advised of the extent of the problem of resettling German evacuees, both refugees and minorities, and were advised of their responsibility relative thereto. Full and free discussion on the problem was urged by United States authorities who attended the meeting and a series of recommendations emerged from the convention. It was quite obvious, however, that in spite of the careful briefing done by United States military authorities, the representatives failed to grasp the magnitude and the complexities of the problem. Subject to the approval of the Länderrat, the following distribution of evacuees among the three Länder was recommended: Bavaria 50 per cent, Gross Hessen 27 per cent, and Württemberg-Baden 23 per cent. The principal grievances of the Committee, for which it requested amelioration, were as follows: (1) there should be one United States officer and one only in each Länd from whom the German authorities received orders and instructions on refugees instead of the present many sources which give confusing and often conflicting orders, (2) failure to notify Burgomeisters in advance of arrivals of refugees, (3) destruction of factories, warehouses, and similar installations, which although not completely suitable will nonetheless provide adequate protection for refugees from the weather, (4) according to present estimates German food stocks will not be ample to provide for refugees and expellees, (5) extensive requisitioning of available housing for displaced persons, especially in Württemberg, and apparent failure to distribute equitably these requisitions with resultant dissatisfaction among the German population and German authorities, and (6) the usual complaint that Nazis are being left undisturbed and that anti-Nazis are being penalized. It is felt among OMGUS officials that some of the complaints have a legitimate basis and should be remedied, but that some of them are completely at variance with occupation policy and hence must be ignored.

A meeting of representatives of various interested Divisions of OMGUS was called on November 22 to consider the report just discussed and the plan for the resettlement of German minorities. It

was the consensus of those present that it would be extremely difficult, if not impossible, to undertake beginning December 1, 1945 the repatriation of German populations from beyond the boundaries of occupied Germany. It was pointed out that the welfare agencies in the United States Zone were already overwhelmed with the burden thrust upon them by the interzonal transfers which are taking place and that they would be utterly incapable of assisting materially the individuals coming from other countries. The transport representatives indicated that it would be next to impossible to obtain adequate transport facilities to move these people. First, truck transportation would not be available because it is not intended this winter to keep open the highways and heavy snows prevail in the mountains of southwestern Germany blocking road routes over which the majority of these people might come. Second, the rolling stock necessary to move these people is not available; that military commitments for the moving of freight during the month of December were almost 50 percent higher in tonnage than the facilities available afforded. Health authorities indicated that while no serious threats of disease were now present in the United States Zone, it was believed that typhus was more prevalent in the areas from which these people would come and in the Soviet Zone than it was in the United States Zone. As a consequence of the interzonal transfer between the Soviet and United States Zones, the incidence of typhus in the United States Zone was slowly climbing and while every effort was being made to dust these transferees, it was felt that the problem would become much more difficult if to the interzonal transfers were added the Czech and Hungarian transfers. Reportedly a preponderant proportion of the refugees now flowing into the US Zone is old women and children, both groups being particularly susceptible to disease. It was the belief of all present that it would be much more humane and satisfactory to postpone the international transfers until April 1, 1946 if that could be done and it was proposed that a statement to that effect, supported by comments of the various operating Divisions represented in the meeting, should be presented to General Clay for consideration.

Respectfully yours,

ROBERT MURPHY

840.4016/11-2445 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, November 24, 1945—3 p. m.

[Received November 24—11:41 a. m.]

1086. For your confidential info, plan providing for repatriation of German nationals in Poland, Czechoslovakia, Austria, and Hungary

approved by Coordinating Committee and Control Council. Copy will be forwarded by pouch.

Because of strained transport, welfare, housing, and food situation in United States zone, Germany, complicated by inter-zonal transfers of German populations now in progress, OMGUS (Office of Military Government United States) authorities question ability to initiate these movements on December 1 to extent provided in plan. It is hoped, however, that token movements may be initiated, particularly from Czechoslovakia in conjunction with repatriation of Poles from United States zone.

Sent to Department as 1086, reference my 1015 of November 15; to Warsaw as 90, reference my 64 of November 15; to Vienna as 38, reference my 35 of November 15; to Budapest as 12, reference my 11 of November 15.

MURPHY

840.4016/11-2845: Telegram

*The Secretary of State to the Ambassador in Czechoslovakia
(Steinhardt)*

WASHINGTON, November 28, 1945—5 p. m.

417. Allied Council in Vienna in resolution Nov. 10⁷⁹ requested govts of four occupying powers to make strong and immediate representations to Govts of Zecho, Hungary and Yugo that in view of imminent danger of a further influx of Germans into Austria the govts of these three states adopt adequate measures to prevent the mass expulsion of Germanic people into Austria.

You are requested in cooperation with British, French, and Soviet colleagues to call attention of Zecho Govt to this resolution, pointing out that numerous Germans from Zecho are now present in Austria and in order to prevent further influx of Germanic people, Allied Council agreed that occupying powers strengthen existing frontier control in their various zones, including arrest and punishment of any persons attempting illegal entry into Austria. Similar instructions have been sent to Belgrade and Budapest.⁸⁰

Repeated to Vienna as 306.

BYRNES

⁷⁹ The text of the resolution by the Allied Council was transmitted to the Department by the United States Political Adviser for Austrian Affairs in Vienna in his telegram 430, November 7, not printed. For documentation regarding the resolution, see telegram P-5568, November 12, from Vienna, vol. III, p. 652.

⁸⁰ This telegram was repeated, *mutatis mutandis*, as No. 429 to Belgrade and No. 741 to Budapest.

740.00119 Control (Germany)/11-3045: Telegram

*The United States Political Adviser for Germany (Murphy) to the
Secretary of State*

BERLIN, November 30, 1945.

[Received December 1—8:55 a. m.]

1147. On behalf of the Control Council, I have sent the following message, *mutatis mutandis*, to the American Embassy, Warsaw, as 103; American Embassy, Praha, as 72; US representative on the Allied Control Commission for Hungary as 15; and US representative on the Allied Control Commission for Austria as 41.

Please present the following formal communication from the Allied Control Council for Germany. Same communication is being transmitted to Czechoslovak Government and the Allied Control Commissions for Austria and Hungary and is being repeated to the Department for its information as this mission's No. 1147.

"At their 12th meeting held in Berlin on 20th November 1945, the Allied Control Council for Germany approved a plan for the transfer of the German population to be moved from Austria, Czechoslovakia, Hungary and Poland into the four occupied zones of Germany.

"Details of this plan outlining the tentative (preliminary) allocation between zones of occupation and a schedule of movement of the German population is enclosed herewith.

"Plan for the transfer of the German population to be moved from Austria, Czechoslovakia, Hungary and Poland into the four occupied zones of Germany.

1. The entire German population to be moved from Poland (3½ million persons) will be admitted to the Soviet and the British zones of occupation in Germany.

2. The entire German population to be moved from Czechoslovakia, Austria, and Hungary (3,150,000 persons) will be admitted to the American, French, and the Soviet zones of occupation in Germany.

3. A. Tentative (preliminary) allocation of this population between zones will be as follows:

(a) Into the Soviet zone from Poland 2 million persons, into the Soviet zone from Czechoslovakia ¾ million persons.

(b) Into the British zone from Poland 1½ million persons.

(c) Into the American zone from Czechoslovakia 1¾ million persons, into the American zone from Hungary ½ million persons.

(d) Into the French zone from Austria 150,000 persons.

B. The French zone will start acceptance not earlier than 15 April 1946. Meanwhile, after the exchange of German refugees is completed according to the principle one for one, the French zone will continue to accept approximately 250,000 refugees from the US zone who were domiciled formerly in the French zone.

4. It is considered possible immediately after the confirmation of this plan to proceed with the admittance of population from the

above-mentioned countries in accordance with the following schedule: During December 1945 at the rate of 10% of the total number; during January and February 1946 at the rate of 5% of the total number; during March 1946 at the rate of 15% of the total number; during April 1946 at the rate of 15% of the total number; during May 1946 at the rate of 20% of the total number; during June 1946 at the rate of 20% of the total number; during July 1946 at the rate of 10% of the total number. Changes may be made on account of weather or transport and after more information is received about the quantity of population transferred. The British zone will start acceptance of the above refugees into the British zone when the volume of the present exchange on the head-for-head basis permits it. This date will be fixed by agreement between the chiefs of the PW and DP divisions of the Soviet and British elements.

5. The execution of this plan must not interfere with the carrying out of the previously reached agreement as regards the exchange of the German refugees between the zones on a one for one basis."

MURPHY

840.4016/11-3045 : Telegram

The Secretary of State to the Ambassador in Poland (Lane)

WASHINGTON, November 30, 1945—6 p. m.

310. Please convey to Provisional Polish Govt following views of US Govt with regard to population transfers.

US Govt has been seriously perturbed by reports of continued mass movements of German refugees who appear to have entered Germany from areas east of Oder-Neisse line. These persons presumably have been expelled summarily from their homes and dispossessed of all property except that which they can carry. Reports indicate that these refugees—mostly women, children, and old people—have been arriving in shocking state of exhaustion, many of them ill with communicable diseases and in many instances robbed of their last few personal possessions. Such mass distress and maltreatment of weak and helpless are not in accord with Potsdam Agreement (Paragraph 13 of which stipulates that population transfers shall be conducted in orderly and humane manner) nor in consonance with international standards of treatment of refugees.

US Govt is informed that Control Council in Berlin has adopted program for orderly and humane transfers of German population from Poland, Czechoslovakia and Hungary. Uncontrolled movements will hamper satisfactory fulfillment of this plan and threats of epidemics may force suspension of its operation indefinitely. US Govt hopes Provisional Polish Govt will wholeheartedly cooperate in carrying out this program in the spirit of paragraph 13, Potsdam Agreement.

Sent to Warsaw as 310; repeated to Moscow as 2427; London as 10415; Paris as 5610; Praha as 429; AusPolAd as 319; and USRep Budapest as 753.

BYRNES

840.4016/11-3045 : Telegram

*The Secretary of State to the Ambassador in Czechoslovakia
(Steinhardt)*⁸¹

WASHINGTON, November 30, 1945—6 p. m.

430. Please see Deptel 310 to Warsaw, repeated to you as 429. Dept suggests you inform Zecho Govt of substance of communication which is about to be presented to Polish Govt, at same time commenting, if you think it appropriate, that your Govt hopes that Zecho Govt will also wholeheartedly cooperate in carrying out Control Council's program for orderly and humane transfers in spirit of Potsdam Agreement.

BYRNES

840.4016/12-445 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, December 4, 1945—2 p. m.

[Received December 6—3:39 p. m.]

629. I am taking the liberty of deferring action on Deptel No. 310, Nov. 30, 6 p. m., regarding alleged forcible repatriation of Germans for the following reasons:

(1). From investigations made by members of my staff who have traveled through western part of Poland I am not convinced that Germans have been subjected to any widespread harsh treatment although they have, of course, suffered in some cases from evictions from their homes. In many cases where they have had opportunity to obtain food and work their condition has left no ground for complaint.

(2). Many of reports regarding ill treatment came from Germans themselves who, in keeping with their characteristic of whining after losing war, make the picture as black as possible.

(3). While not wishing to condone any cruel treatment on the part of the Poles, it is very understandable, after one has seen the results of the systematic destruction of Warsaw, the inhuman treatment by the

⁸¹ This telegram repeated, *mutatis mutandis*, as Nos. 754 to Budapest, 10416 to London, 2428 to Moscow, 5611 to Paris, 979 to the United States Political Adviser for Germany in Berlin, and 320 to the United States Political Adviser for Austrian Affairs in Vienna.

Nazis during the occupation and the concentration camps at Majdanek, Oswiecim and elsewhere, if the Poles have not handled the Germans with kid gloves.

(4). The British have been seriously criticized here on the ground that they have been more mindful of the well-being of the Germans than of the Poles. The Polish press, encouraged by the Soviet Govt, has emphasized British softness towards the Germans. There is a tendency on part of press to pick on US as well and I hear that if we make official representations along lines of Dept's instruction we will incur popular displeasure.

(5). I realize that Poland has obligations under Potsdam decision with which it must comply. I hope, however, that Dept will permit me to confine my representation re the alleged mistreatment of Germans to an oral statement as otherwise I foresee possibility of our being charged with lack of appreciation of what Poland has suffered at the hands of the Germans. The international consequences seem to me to be so important in this situation as to warrant a reconsideration of the instructions given me.

(When General Eisenhower was here September 21, he expressed disagreement with view held by others that Germans from Poland were being ill treated and said after seeing destruction of Warsaw that he wished every member of his army could see what he had seen that day.)

Sent Dept as 629, repeated to Berlin as 145.

[LANE]

840.4016/12-445 : Telegram

The American Representative in Hungary (Schoenfeld) to the Secretary of State

BUDAPEST, December 4, 1945—5 p. m.

[Received December 4—4:40 p. m.]

1021. Hungarian Govt submitted to chairman Allied Control Commission Nov 22 supplementary statistical report ⁸² by Ministry of Interior on German minority to be evicted from Hungary. Number was estimated as approximately 300,000. Note submitted by Foreign Ministry to Mission Dec 1 ⁸³ states there is misconception abroad of number Hungary desires to deport. Investigation of 96 communities indicates 30 per cent of them had no connection with Volksbund.

⁸² Not printed; copy transmitted to the Department in despatch 645, December 5, 1945, from Budapest.

⁸³ For full text of this note, see Stephen Kertesz, *Diplomacy in a Whirlpool: Hungary between Nazi Germany and the Soviet Union* (University of Notre Dame Press, Notre Dame, Indiana, 1953); Document No. 10, p. 247.

Ministry also points out that considerable proportion of compromised German male population left Hungary with German Army. Ministry states figure of between 200,000 and 250,000 is more realistic and this was intimated in note of Hungarian Govt to Soviet Union May 26. Ministry's estimate should be compared with figure of 500,000 given in Allied Control Commission Germany's Program section 3 C (USPolAd's 1147, Dec 1, [*November 30*] repeated to Budapest as No. 15).

Hungarian Govt in latest note reaffirms its conviction that Hungarian citizens should not be expelled solely on ethnic grounds and its opposition to any collective punishment. It contends only German minority who are adjudged traitors and who served under Hitler should be deported but it is firm in necessity of these. (Mytel 423, Aug 14.)

Full text of note by despatch.⁸⁴

Repeated to London as 63, Moscow as 115 and USPolAd Berlin as 16.

SCHOENFELD

840.4016/12-545: Telegram

The American Representative in Hungary (Schoenfeld) to the Secretary of State

BUDAPEST, December 5, 1945—2 p. m.

[Received December 6—1:08 p. m.]

1026. In accordance with urtel 754, November 30,⁸⁵ I have informed Hungarian Govt⁸⁶ substance of Dept's 310 to Warsaw and expressed gratification of this Mission that Hungarians have already accepted Potsdam principles on population transfers in Foreign Office note November 5 transmitted with my despatch 546 November 14 and copied to Berlin. We added that it was, therefore, to be expected transfer of Germans from Hungary would proceed in orderly and humane manner.

General Key⁸⁷ has been asked to inform colleagues on ACC (Allied Control Commission) of substance your 310 to Warsaw and advised of our communication to Hungarian Govt.

Repeated to USPolAd Berlin as 21.

SCHOENFELD

⁸⁴ No. 645, December 5, not printed.

⁸⁵ See footnote 81, p. 1318.

⁸⁶ Note of December 4, 1945, from the United States Mission in Hungary to the Hungarian Ministry for Foreign Affairs is quoted at length in Stephen Kertesz, "The Expulsion of the Germans from Hungary: A Study in Postwar Diplomacy", *The Review of Politics*, vol. 15, 1953, p. 193.

⁸⁷ Maj. Gen. William S. Key, Chief, United States Section, Allied Control Commission for Hungary.

840.4016/12-745 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, December 7, 1945—3 p. m.

[Received December 9—2:31 p. m.]

646. Mytel 629, December 4, 2 p. m. British Ambassador states that he has received no instructions similar to those contained in Deptel 310, November 30, 6 p. m. re expulsion of Germans from Poland but he has addressed note to Foreign Office as have I embodying Allied Central [*Control*] Council decision re plan for transfer of Germans from Poland, Czechoslovakia and Austria to Germany. (Refer Berlin's telegram 1147, December 1 [*November 30*].)

Bentinck says he fully agrees with me as to unwisdom of making representations to Polish Govt re alleged inhumane treatment of Germans as it would merely serve to irritate Poles and would not alter conditions which Bentinck claims have been exaggerated by Germans transferred from Poland.

LANE

840.4016/12-745 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 7, 1945—8 p. m.

[Received December 8—2:36 a. m.]

12855. Substance of Dept's 10415, Nov. 30, 6 p. m.⁸⁸ has been discussed with Troutbeck, head of German Dept and Foreign Office official charged with problem of expulsion of Germans by other govts.

He reminded us that British Govt had made repeated representations to Poles on this subject in recent months and that agreement worked out by ACC for orderly movement has now been officially communicated to Polish Govt. He said Foreign Office would, nevertheless, instruct British Ambassador Warsaw to support our representations and to mention same points. He inquired whether we were making any attempt to have Russians make similar approaches to Poles, at same time expressing doubt as to Russian willingness to do so.

He stated destitute condition of expelled Germans was part of major problem as to what compensation should be given them for property left behind. Foreign Office had at one time devoted much thought to whole problem of compensation but had been outdistanced

⁸⁸ See last paragraph of telegram 310, November 30, to Warsaw, p. 1317.

by progress of events and had abandoned studies before reaching any definite conclusions.

Repeated Berlin as 360; repeated Warsaw as 48.

WINANT

840.4016/12-845 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, December 8, 1945—1 p. m.

[Received 5:30 p. m.]

7072. Department's 5611, November 30.⁸⁹ The Foreign Office concurs in our views on the gravity of the situation of German refugees and will instruct French representative in Warsaw⁹⁰ to approach Polish Government about this matter.

Repeated to Warsaw as 153.

CAFFERY

840.4016/12-445 : Telegram

The Secretary of State to the Ambassador in Poland (Lane)

WASHINGTON, December 10, 1945—7 p. m.

331. Urtel 629, Dec 4, repeated USPolAd as 145. Dept has no objection your stating orally to Polish Govt US views on population transfers provided you give substance of message transmitted Deptel 310, Nov. 30. (Missions to which latter telegram was repeated were instructed inform govts to which accredited of substance your communication to Polish Govt.)

In view of point 4 urtel 629, you may after delivering oral statement make appropriate comment to clarify fact that Dept's action is in no way reflection of lack of appreciation of what Poles have suffered at hands of Germans and is based entirely on US interest in seeing that article 13 Potsdam Agreement is carried out in humane manner in accordance with spirit in which it was adopted.

Repeated USPolAd Berlin as 1043.

BYRNES

840.4016/12-1145 : Telegram

The American Representative in Hungary (Schoenfeld) to the Secretary of State

BUDAPEST, December 11, 1945—2 p. m.

[Received December 16—9:35 p. m.]

1082. At informal meeting of ACC Dec 10 plan of Hungarian Govt for removal German minority was approved in principle. It was

⁸⁹ See footnote 81, p. 1318.

⁹⁰ Roger Garreau, French Ambassador in Poland.

decided to start deportations as soon as Hungarian Govt could arrange details first train with approximately 1,000 to leave on or about Dec. 15.

This apparently is not in accord with last sentence of Berlin's despatch No. 1368 of Nov. 23 to Dept.

Hungarian Govt suggested 50,000 would be ready to move from county of Tolna and Budapest area during month of Dec.

Sent to Dept; repeated to Berlin as No. 24.

SCHOENFELD

840.4016/12-1245 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, December 12, 1945—3 p. m.

[Received 9:10 p. m.]

658. My 646 [to] Dept.⁹¹ Bentinck has shown me telegram from London authorizing him to take action concurrently with me re alleged mistreatment of Germans. As Bentinck was authorized and not instructed to make representations he proposes like Nelson at bombardment of Copenhagen to hold his telescope to his blind eye.

LANE

840.4016/12-1245 : Telegram

The Ambassador in Yugoslavia (Patterson) to the Secretary of State

BELGRADE, December 12, 1945—5 p. m.

[Received December 13—1:41 a. m.]

743. On December 5 we sent note to FonOff embodying substance of Deptel 429, November 28.⁹² British sent similar note prior to our receipt of Deptel. French and Soviet Embassies informed of our action.

We have received reply dated December 11 stating "that the Yugoslav authorities did not and do not instigate any expulsion of Germanic people from Yugoslavia. They would, however, be loath to permit the return of those who live at present abroad and have left this country on their own account."

Sent Dept, repeated Vienna.

PATTERSON

⁹¹ Dated December 7, p. 1321.

⁹² See footnote 80, p. 1315.

840.4016/12-1545 : Telegram

*The American Representative in Hungary (Schoenfeld) to the
Secretary of State*

BUDAPEST, December 15, 1945—5 p. m.

[Received December 19—3:40 p. m.]

1104. Mytel 1021, December 4. ForMin called today to point out that Hungarian Government is in quandary regarding number of Germans to be deported from Hungary. He said if Germans are to be treated as a nationality the figure of 500,000 used by Allied Council Berlin as basis for directive to ACC here and transmitted to Hungarian Government regarding deportations would be more nearly correct than if criterion adopted by Hungarian Government were used that only Germans coming within objectionable categories would be deported. In latter case Hungarian Government's figure of not more than 300,000 would cover numbers to be expelled.

ForMin asked whether nationality principle was to be applied or whether Hungarian Government principle would be used. I told ForMin that this seemed to be matter which had not yet been categorically presented for decision and it might be desirable for him to formulate the issue in written communication which he proposed to do. I intimated personal opinion, however, that in as much as no exception has been taken in Hungarian Government's repeated official communications outlining principles to be applied in expulsion of Germans from Hungary and since these principles seem to be in harmony with US Government's view of individual and not collective liability as repeatedly expressed in official communications to Hungarian Government among others I had assumed the 500,000 figure for Germans to be expelled from Hungary was merely due to confusion at Berlin. If US Government has changed its view and has accepted principle that Germans are to be expelled from Hungary without regard to their individual merits it would be desirable to have clear ruling on this point.

There is impression in official circles here that Soviet pressure is exerted for larger figure because vacuum so created would facilitate expulsion of all Hungarians from Slovakia.

Sent Department, repeated Moscow as 134, London as 71 and USPolAd Berlin as 27.

SCHOENFELD

840.4016/12-1645 : Telegram

The Ambassador in Poland (Lane) to the Secretary of State

WARSAW, December 16, 1945—6 p. m.

[Received December 23—8:45 a. m.]

685. I informed Foreign Minister ⁹³ December 15 re complaints that Germans leaving Poland have been subjected to unduly harsh treatment on part of Poles. I said that we were bringing this situation to notice of Polish Govt in accordance with Article 13 of Potsdam decision but that we do not wish this representation to be construed of [as] a lack of sympathy on our part for the suffering which the Poles had undergone at hands of the Germans.

Minister said that instructions had been issued to carry out evictions of Germans in most humane manner but often without knowledge of Pol officials, local Pol population which has bitter feelings towards Germans takes matter into its own hands. Rzymowski said that Pol Govt did not desire to take vengeance on German people.

Zebrowski,⁹⁴ who was present at interview, said that Germans are not being treated worse than the Poles and referred to conditions of Poles now returning from Soviet Union in open freight cars (in Krakow I heard many complaints re condition of returning Poles in unusually cold weather resulting in death of six children last week in trainload).

Sent to Dept as 685; repeated to Berlin as 161.

Our last No. to SecState for 1945 was 733.

LANE

840.4016/12-1745 : Telegram

The American Representative in Hungary (Schoenfeld) to the Secretary of State

BUDAPEST, December 17, 1945—8 p. m.

[Received December 23—8:07 a. m.]

1120. Mytel 1104, Dec. 15. ForMin presented note today ⁹⁵ following my conversation with him regarding deportation Germans. He reiterated Hungarian Govt policy to transfer to Germany only

⁹³ Wincenty Rzymowski, Minister for Foreign Affairs in the Polish Provisional Government of National Unity.

⁹⁴ Tadeusz Zebrowski, Chief of the Anglo-American Department of the Ministry for Foreign Affairs of the Polish Provisional Government of National Unity.

⁹⁵ For text of *Note Verbale* No. 139/Res/Be/1945, dated December 15, 1945, from the Hungarian Ministry for Foreign Affairs to the Representative in Hungary and transmitted to the Department as an enclosure to despatch 775, January 2, 1946 (not printed), see Kertesz, *Diplomacy in a Whirlpool*, Document No. 11.

those who were members of Volksbund, SS or who had committed in course of war act of disloyalty against Hungary. Govt according to note had never planned transfer based on mere fact of German origin or language.

In connection with evident misunderstanding in foreign press regarding numbers to be repatriated note requests that US Govt clarify its position concerning matter. Note refers to details incorporated in previous note of Ministry sent Dept by despatch No. 645, Dec. 5.⁹⁶

Sent to Dept, repeated to Moscow as 139, London as 73 and Berlin as 29.

SCHOENFELD

840.4016/12-2045 : Telegram

The Acting Secretary of State to the American Representative in Hungary (Schoenfeld)

WASHINGTON, December 27, 1945—7 p. m.

879. Berlin's 18 Dec 20 rptd Dept as 1307.⁹⁷ As figure of 500,000 Germans to be deported from Hungary was taken as maximum and apparently was not based on Hungarian Govt's own calculation, Dept sees no reason why ACC Germany's decision of Nov 20 should be regarded as requiring Hungarian Govt to deport all Germans in Hungary or precisely 500,000 Germans. On the contrary, reduction of that figure on Hungarian initiative would be well received here, since the economic dislocation and human suffering which inevitably accompany large-scale population movements would be correspondingly reduced, and also by US military authorities in Germany which have task of receiving and resettling the Germans deported from Hungary.

US Govt has not changed its view that an entire ethnic group such as Germans in Hungary should not be held collectively liable for conduct of those who participated in Nazi activities, or subjected as a group to deportation on those grounds. We have not been informed of views of Soviet, Brit and French Govts on the subject and do not know whether they also would welcome reduction, in execution, of total of 500,000 set by ACC Germany's decision of Nov 20.

In view of news item in US press Dec 25 indicating Hungarian Govt has decreed expulsion of all German-speaking people from

⁹⁶ Not printed.

⁹⁷ Not printed; it reported that the figure of 500,000 Germans had been assumed as a maximum in Allied Control Council calculations regarding the number of German expellees to be expected from Hungary as a basis for the study of the possible magnitude of the problem. It reported further that OMGUS welcomed the idea of the Hungarian Government of deporting only objectionable categories (840.4016/12-2045).

Hungary, please report whether Hungarian Govt's position is still as stated by FonMin on Dec 15 (Reurtels 1104 and 1120; your despatch 645 Dec 5 ⁹⁸ has not yet arrived).

Repeated to Berlin, London, Moscow.⁹⁹

ACHESON

⁹⁸ Despatch not printed.

⁹⁹ Repeated to the United States Political Adviser for Germany in Berlin as telegram 1145, to London as 11097, and to Moscow as 2642.

INTEREST OF THE UNITED STATES IN THE CONVENING OF AN INTERNATIONAL CONFERENCE ON TRADE AND EMPLOYMENT

800.504/1-3045

*The Australian Minister (Eggleston) to the Acting Secretary of State (Grew)*¹

No. 44/45

WASHINGTON, 30 January, 1945.

SIR: I have the honour to inform you, on instructions from my Government, that his Majesty's Government of the Commonwealth of Australia is of opinion that an international conference on Employment Policy should be convened at an early date with the object of securing an international agreement on this subject. I am instructed to enquire whether the United States Government would be willing to associate itself with the calling of such a conference after the necessary preliminary arrangements have been discussed and completed. In support of this proposal the following considerations are submitted.

A main purpose of international collaboration is to achieve freedom from want, and there is a wide recognition of the fact that in most countries of the world that object can be achieved only by maintaining a high level of employment. Many declarations of policy have been made with that end in view. Reference may be made to such a declaration in the final act of the United Nations Conference on Food and Agriculture² and to the "Philadelphia Charter" of 1944³ of the International Labour Organisation, as well as to those made on behalf of individual nations, of which a notable example was President Roosevelt's recent declaration.⁴

¹ Handed to the Assistant Secretary of State for Economic Affairs (Clayton) by the Financial Counselor of the Australian Legation (Brigden) on February 2, 1945. On the same date similar notes were handed to Mr. Clayton by the First Secretary of the New Zealand Legation (Reid) and the Counselor of the British Embassy (Opie).

² For text of the Final Act of the United Nations Conference on Food and Agriculture, see Department of State *Bulletin*, June 19, 1943, p. 546; for documentation on the Conference, held at Hot Springs, Virginia, May 18-June 3, 1943, see *Foreign Relations*, 1943, vol. I, pp. 820 ff.

³ Declaration concerning the aims and purposes of the International Labor Office; for text, see Department of State *Bulletin*, May 20, 1944, p. 482; for documentation on the interest of the United States in the convening of a regular conference of the International Labor Organization, see *Foreign Relations*, 1944, vol. II, pp. 1007 ff.

⁴ Reference here is probably to the President's State of the Union Address to Congress on January 6, 1945. For text of the President's comments regarding trade and commerce, see Department of State *Bulletin*, January 7, 1945, pp. 27-28.

It is also recognised that without high employment in all countries, the world's production and consumption must remain continuously short of levels that are technically practicable, and that many wage-earners and others are deprived of the purchasing power to demand the goods and services which they need. The achievement of a high and stable level of employment in all countries is therefore one of the main objectives of international collaboration.

But despite the general acceptance of this objective discussions on practical arrangements have been concentrated primarily on the mechanism of international trade and finance, and on matters of general welfare such as food and agriculture. The Australian Government, for some time, has been convinced that proposals for international welfare will not get very far unless they are accompanied by a more direct attack on the problem. For this reason, Australia has suggested that, in addition to other agreements, there should be an international agreement by which subscribing countries would bind themselves to pursue domestic policies aimed at maintaining high levels of employment.

The Australian Government regards such an agreement as of the most vital international concern. The growth of unemployment in any major industrial country or group of countries depresses the export incomes and general economic activity of other countries and makes it extremely difficult for them to maintain high employment in their own territories.

Moreover, failure to maintain high employment would threaten the effective operation of such financial and trade arrangements as are being discussed. Any individual country that persisted in a high employment policy in the face of declining employment elsewhere would soon find that its balance of payments was adversely affected. It would then be faced with the choice of either abandoning its own domestic policy or of turning away from international collaboration towards import restrictions, export subsidies, or exchange depreciation. In short, if other countries fail to maintain high employment, any country may find international economic collaboration incompatible with the maintenance of its own employment.

The Australian Government holds the view that if international economic collaboration is to be made effective and lasting, the United Nations must undertake to provide fundamental conditions that make such collaboration both practicable and consistently advantageous. It believes that these conditions can be provided only if the larger industrial countries, at least, are prepared to take whatever domestic measures are necessary to maintain a high and stable level of employment within their own territories.

It is suggested that all international economic agreements that may be adopted by the United Nations should include among their

purposes the maintenance of high levels of employment throughout the world, and that as many nations as possible should complement those agreements with one specifically designated as an Employment Agreement and especially directed to the end of achieving and maintaining a high level of employment.

The Australian Government believes that the holding of a conference on Employment Policy and the adoption of an Agreement would do much to promote the general aims of the United Nations.

I am sending copies of this despatch to the British Ambassador and to the New Zealand Minister.

I have [etc.]

F. W. EGGLESTON

800.504/2-1245

Memorandum of Conversation, by the Acting Secretary of State

WASHINGTON, February 16, 1945.

Participants: British Ambassador, the Earl of Halifax;
Australian Minister, Sir Frederic Eggleston;
New Zealand Minister, Mr. C. A. Berendsen;
Acting Secretary, Mr. Grew

The British Ambassador, the Australian Minister, and the Minister of New Zealand, with two secretaries, called on me this afternoon at their request and Sir Frederic Eggleston presented the views of his Government in favor of calling a conference on employment. As his oral presentation was read from a document, I asked him if he would not send me a copy of the paper so that I might have an accurate transcription of his statement. He said that he would have a clean copy made and send me one for our files. Lord Halifax supported Sir Frederic Eggleston's presentation, as did also Mr. Berendsen, the Minister of New Zealand.

In reply, I said that we would, of course, give the Australian proposal most serious consideration and would communicate our views as soon as the necessary consultation had taken place within this Government. In advance of such consultation, I said, it would appear probable that our views would take the following form:

(1) The problem of full employment is inextricably linked with problems of exchange and trade, with the consequence that a separate conference on full employment or on employment policy could hardly produce any useful result.

(2) The holding of an employment conference in advance of a conference on trade, commodity, and cartel policy would be particularly unfruitful since the area of appropriate international coopera-

tion for the attainment of full employment could not be determined in the absence of reasonably firm commitments with respect to trade, commodity, and cartel policy.

(3) Efforts to achieve full employment are likely to take the form of encouragement of uneconomic production or the imposition of positive barriers to international commerce, unless agreement is obtained with respect to these matters.

(4) There is no objection, however, to discussion of employment policy and to the exploration of essential areas of international cooperation in this field concurrently with the discussion of trade, commodity, and cartel policy. We would consider it appropriate and desirable to devote some time at a general conference to the discussion of employment problems and policies. The conference that we should like to have might well be called a conference on trade and employment.

JOSEPH C. GREW

[Enclosure]

*Oral Statement Made by the Australian Minister (Eggleston) to the
Acting Secretary of State*

FEBRUARY 16, 1945.

The Government of Australia is grateful for the opportunity that you have given for the elaboration of the request that is made that an International Conference on the Full Employment Policy should be held.

We are grateful for the interview which has already taken place but we would like to emphasise the fact that the Australian Government attaches the very highest importance to the subject and hopes that it will not be rejected without the fullest consideration at the highest level.

I do not intend to argue the whole case as presented in our letter, but I want to stress two things; first, the international importance of full employment policies, and second, their relative importance when various international agreements are being considered.

The importance of the Full Employment Policies is fully realised, but the fact that they are of international concern is not so fully recognised. We are, however, bent on increasing our international trade and as we become committed to it, our investments, our labour force, and our capital organisations are directed to supplying foreign markets. Some are committed to this more than others. Australia is a large exporter of primary products. The prosperity of the countries

to which we export is of vital concern to us and our position is compromised whenever there is large scale unemployment and demand falls. All countries are therefore dependent on the degree of employment in other countries and if employment can be assured, it will add greatly to the stability of the world economy. If, on the other hand, these high levels cannot be assured, then the economy of the exporting country becomes unbalanced; it may have to take internal steps to protect its balance of payments and its employment, and when all nations take these steps, the difficulties are greatly increased.

There are several agreements at present under discussion which deal with parts of the problem of international trade. In these agreements the various parties tie their hands and restrict their freedom.

These rights may well be given up as part of a general plan but we urge that the main features of a general plan should be the maintenance in each country of such levels of employment that the risks we fear may become small. In short, the tendency in times of difficulty and crisis is to adopt internal policies of restriction which intensify the crisis, unless there is a firm understanding that all great nations will carry out a positive policy which will keep up demand by maintaining employment.

The fact that various phases of economic policy are matters of international concern has been widely recognised. Mr. Morgenthau,⁵ in addressing a Chamber of Commerce the other day, said, "the underlying cause of failure to stabilise currencies during the last war was the view of each country that it was a problem of exclusive concern to each. The resultant instability must certainly be counted as a contributing cause of the great depression and the first phase of the present war."

I contend that the same argument applies to the maintenance of employment. What the Australian Government want to emphasize is that these policies of full employment are basic, none of the other agreements work with efficiency unless full employment is secured.

I would further point out that United States occupies a key position because it has such a large mass of potential purchasing power, and that without their co-operation little can be done.

I do not intend, of course, to argue the whole question, all I want to do today is to stress the international importance of such an agreement and emphasize that it cannot be regarded as incidental to these other agreements. If there are other matters which have to be discussed, their position and significance will be a matter of consideration at the conference.

⁵ Henry Morgenthau, Jr., Secretary of the Treasury.

800.504/1-3045

The Secretary of State to the Australian Minister (Eggleston)

WASHINGTON, March 13, 1945.

SIR: I have the honor to acknowledge the receipt of your note dated January 30, 1945, suggesting the holding of an international conference on employment at an early date. Notes of concurrence were submitted on the same date by the British Ambassador and the Minister of New Zealand.⁶ Careful consideration has been given to the proposal, and my Government would like to express the following views thereon:

The Government of the United States of America fully recognizes the urgency of the development by all nations of effective domestic programs for the attainment of high and stable levels of productive employment if the objective of freedom from want is to be realized. My Government further recognizes the desirability of international collaboration for the attainment of full employment and is in agreement with the view of the Australian Government that employment policy should be considered at an international conference.

My Government feels, however, that the employment problem is inextricably linked with problems of exchange and trade which have been under consideration by the several Governments for some time. While the maintenance of a sound and stable commercial and financial system may not be possible if serious unemployment exists in any major country, there can be no sound basis for the stability of productive employment at a high level in the various nations if there is not general international agreement to remove the excessive barriers and prevent the discriminatory practices which have restricted world trade in the past. Because of this close interrelationship between employment and trade, my Government is convinced that it is necessary to achieve a consistent definition of over-all objectives and unity of action in these fields.

It would be most unfortunate if full employment were sought in some countries by measures which would have the effect of reducing employment in other countries, as, for instance, by the encouragement of uneconomic production or by the erection of positive barriers to the free flow of international commerce. Only through the coordination of employment policy and trade policy will it be possible for each country to achieve the fullest and most economic use of its resources and the high levels of production and consumption which are essential if the general goal of freedom from want is to become a reality.

Therefore, my Government feels strongly that the desirability of proceeding as quickly as possible to promote international cooperation

⁶ Neither printed.

with respect to both trade and employment policies calls for joint, rather than separate, treatment. Discussion of these matters among the several Governments is to be desired in conformance with their reciprocal undertakings under Article VII of the several Mutual Aid Agreements that have been negotiated.⁷

Accordingly, my Government would be pleased to participate at the earliest practicable date in an international conference on trade and employment. The conference would consider the entire problem of postwar international trade relations, including not only proposals for an international agreement for the reduction of trade barriers and the establishment of an international trade organization, but also the related problems of commodity agreement policy and cartel policy. The conference would also give full consideration to international aspects of the problem of maintaining high and stable levels of productive employment in all countries, and would explore the essential areas of international cooperation with a view to achieving agreement on methods, objectives, and procedures of coordinated action in this field.

It is the earnest hope of my Government that the Governments of Australia, the United Kingdom, and New Zealand will agree with this approach. If they do, my Government feels that steps should be taken promptly to hold the necessary preliminary discussions.

I am sending copies of this note to the British Ambassador and to the New Zealand Minister.

Accept [etc.]

EDWARD R. STETTINIUS, JR.

[During the period from March to September 1945, discussions on the subject of expansion of world trade and employment were essentially bilateral between the United States and the United Kingdom, and constituted a direct outgrowth of the informal and exploratory discussions regarding postwar economic policy held in 1943 and 1944. Documentation on the Anglo-American discussions in 1945, as well as the records of three important meetings between the United States and Canadian officials on July 9, 14, and 15 are contained in volume VI.

For documentation on the previous informal and exploratory discussions, see *Foreign Relations*, 1943, volume I, pages 1099 ff. and *ibid.*, 1944, volume II, pages 1 ff.

For President Roosevelt's message to the Congress of March 26, 1945, recommending renewal of the Trade Agreements Act of 1934,

⁷ The preliminary agreement between the United States and the United Kingdom regarding principles applying to mutual aid was signed at Washington February 23, 1942; for text, see Department of State Executive Agreement Series No. 241, or 56 Stat. (pt. 2) 1433. Article VII in the mutual aid agreements with other countries was similar to that in the agreement with the United Kingdom.

and for related statements by Secretary of State Stettinius, Acting Secretary Grew, Assistant Secretary Clayton, and by Charles P. Taft, see Department of State *Bulletin*, April-June, 1945, Index, entries under "Trade Agreements Act, renewal."]

560.AL/9-2545

*The Department of State to the Belgian Embassy*⁸

MEMORANDUM

PROPOSAL FOR A UNITED NATIONS CONFERENCE ON TRADE AND
EMPLOYMENT⁹

With the ending of hostilities with Japan and the restoration of world peace, the adoption by the United Nations of concrete measures and policies to assure the maintenance of employment and to reconstruct and enlarge world trade on an enduring basis has become a matter of urgency.

Constructive long-term policies in the fields of trade and employment are essential to the success of the international economic and political system envisaged by the United Nations Organization and by the specialized international agencies already established or drawn up in the fields of food and agriculture, monetary and exchange stabilization and international investment. Unless long-term trade and employment policies are agreed upon soon, there is grave danger that the pressing economic problems of the transition period, already upon us, may be solved by resort to measures of expediency which will tend to become permanent and thus seriously hamper later efforts at constructive international cooperation in these fields.

It is considered imperative, therefore, that a United Nations Conference on Trade and Employment be held at the earliest practicable date, preferably not later than June 1946.

It should be the objective of the Conference to develop methods of international cooperation with regard to the maintenance of employment and to achieve concrete and definitive agreement among

⁸ Handed to the Belgian Foreign Minister (Spaak) by the Director of the Office of International Trade Policy (Wilcox) at a meeting on September 25, 1945. Mr. Spaak was in Washington as head of a Belgian delegation which opened a series of financial and trade discussions with United States representatives on September 19. For a statement of the result of these conversations, see note to the Belgian Foreign Minister, October 19, vol. iv, p. 111.

A similar memorandum was handed by the Chief of the Division of Commercial Policy (Brown) to Mr. Ch. J. H. Daubanton, Minister in the Netherlands Embassy, on October 23.

⁹ In a note of October 3, acknowledging this memorandum, the Belgian Ambassador (Silvercruys) stated that as soon as official invitations were extended the Belgian Government would be happy to notify its willingness to participate in the conference and in a preparatory meeting to which Mr. Wilcox had stated the United States Government intended to invite Belgium.

the United Nations with regard to: *a*) the reduction of tariffs and other trade barriers and the elimination of all forms of discriminatory treatment in international commerce, *b*) the principles which should govern the institution and operation of intergovernmental commodity agreements, *c*) the elimination of restrictive trade practices by private business enterprises, and *d*) the establishment of international machinery for continuing consultation on these matters.

In order to assure the success of the proposed conference, there should be adequate preparation for it, particularly on the part of the principal trading nations of the world. Indeed, the success of the conference may be largely dependent upon the extent to which these nations can develop, in advance, concrete proposals which they would be prepared to support and make effective.

Consideration should therefore be given in the coming weeks as to the best means of facilitating the necessary consultations and negotiations among the principal trading nations.

It may be useful in this connection to indicate briefly the tentative proposals, now being prepared by technical experts within the United States Government, which it is believed might be proposed for the consideration of the conference and as a subject for preliminary consultations and negotiations among the principal trading nations:

A. Employment. Since the prosperity of the various nations is interdependent, and the maintenance of employment is essential to enlarged world trade, there should be an undertaking by each nation that it will take appropriate action designed to maintain employment within its own jurisdiction (avoiding, however, employment measures which aggravate the trade and employment problems of other nations) and that it will cooperate with the other nations in the collection and exchange of information regarding employment problems.

B. Trade. In the field of trade, there should be established an International Trade Organization, the members of which would undertake to conduct their international commercial policies and relations in accordance with agreed principles to be set forth in the articles of the Organization. These principles should provide for:

1. *The relaxation of trade barriers of all kinds, including:*

a. the substantial reduction of tariffs and the elimination of tariff preferences,

b. the general abandonment of quantitative restrictions on imports and exports (except when used for agreed purposes),

c. the general elimination or limitation of export subsidies, and the establishment of certain requirements with regard to the use of other subsidies affecting international trade,

d. the general elimination of exchange restrictions on commercial transactions,

e. the relaxation of restrictionist practices by state-trading enterprises,

f. the relaxation of miscellaneous barriers to trade such as those involved in the application of internal taxes, customs formalities, antidumping and countervailing duties, marks of origin, et cetera, and

g. the general prohibition of discriminatory trade treatment.

2. *The establishment of principles governing the institution and operation of intergovernmental commodity arrangements.* These principles should:

a. set forth the circumstances under which restrictive intergovernmental commodity agreements should be permitted (e.g. to control burdensome world surpluses of an agricultural commodity or to combat widespread unemployment in a mineral industry);

b. assure that any commodity agreements entered into shall, in accordance with the objectives of a liberal commercial policy, afford increasing opportunities for satisfying world requirements from sources from which they can be supplied most effectively; and

c. provide for equitable representation by producing and consuming countries in the formulation and operation of commodity agreements.

3. *The elimination of restrictive business practices.* Member nations should undertake to prevent commercial enterprises within their jurisdiction from participating in agreements, combinations, etc., which restrict international trade or access to international markets or foster monopolistic control of international trade. Certain practices, such as price-fixing, allocating markets, limiting production, etc., should *ipso facto* be regarded as restrictive. The member nations should cooperate with each other and with the Organization in carrying out these provisions.

The functions of the proposed International Trade Organization would, in general, include the collection, analysis and publication of information relevant to its purposes; the rendering of technical assistance to members; the interpretation of the principles laid down and referred to above; and consultation and settlement of disputes arising out of the application of these principles. The Organization would have sections dealing with each of the three broad fields described above.

WASHINGTON, September 25, 1945.

560.AL/10-1945 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, October 19, 1945—noon.

[Received October 19—12:48 p. m.]

3597. ReDeptel 2098, October 4.¹⁰ From our point of view I see little point in informing Soviet Government of proposals for con-

¹⁰ Not printed.

ferences in March and June prior to transmitting them to other United Nations. It is improbable that Soviets will wish to comment on conference proposals before date contemplated for invitations to be sent out.

As concerns Soviet participation in "proposed United Nations Conference on Trade and Employment" the records of Embassy do not show that Soviet Government ever replied to our repeated invitations to join in Article VII discussions.¹¹

Under Soviet system foreign trade is a monopoly of the State. All foreign trade transactions are controlled according to plan for furtherance of national economic interests and often political objectives. Soviet national monopoly of foreign trade is integral part of Soviet system and cannot be altered.

Attitude of Soviet Union toward lowering of tariff barriers and freer trade will be different in different areas depending upon their interests.

(1). In those areas bordering on USSR Soviets are proceeding on unilateral basis to conclude agreements for exchange of commodities on quota basis and for economic collaboration which involves participation of Soviet capital in the major industries and trade of country concerned. In these bordering countries they will wish to have predominant influence both political and economic and will resist any attempt of other nations outside Soviet influence to participate to more than a nominal extent in trade of these countries.

(2). As regards Soviet attitude toward freer trade between countries outside its sphere of influence Soviet Government will be happy to see growth in foreign trade based on lowering of tariff barriers and free competition between individual private producers in which media Soviet foreign trade monopoly can most effectively buy and sell on most favorable market.

As regards proposed March talks on specific reductions of tariffs and other trade barriers there is absolutely no point to negotiations with USSR for mutual reduction of tariffs. In such negotiations if actual reductions were obtained US would be making concessions and receiving nothing in return.

Soviet tariffs do not hamper or restrict Soviet foreign trade and even if all Soviet tariffs were completely abolished no objective of US policy would have been accomplished and the volume and direction of Soviet foreign trade would not be affected.

¹¹ In September 1943 an invitation to hold such discussions had been extended by the United States to the Government of the Soviet Union. Additional information was given to the Soviet Government at the time of the Foreign Ministers' Conference in Moscow in October 1943, and again in December 1943. However, the Embassy had never succeeded in having any discussions whatsoever with Soviet representatives on this subject. For documentation regarding the September and December approaches, see *Foreign Relations*, 1943, vol. I, pp. 1099 ff.; for the paper handed to the Soviets at the time of the Moscow Conference, see memorandum entitled "Bases of Our Program for International Economic Cooperation", *ibid.*, p. 763.

Soviet tariffs are not designed to protect Soviet industry and agriculture against foreign competition. In a totalitarian economy such as that of USSR where whole economy and foreign trade included are operated up State according to plan, concept of "protection" has no meaning in connection with tariffs.

Soviet tariffs do bring revenue to State. This is not, however, reason for existence of tariffs since revenue from foreign trade would be collected by Soviet Government in many different ways.

At present Soviet tariffs serve largely bookkeeping purpose. Soviet accounting procedure requires that imported goods be made available to Soviet enterprises at approximately same cost as comparable Soviet manufactured goods since if underpriced imported goods would give advantage to enterprises using them enabling them to show higher profits than enterprises using Soviet manufactured goods. Since profits in Soviet system are intended to measure efficiency of operation of economic units, imported goods must cost enterprises using them same as comparable domestic goods. Soviet tariffs apparently aim to make prices of imported goods comparable to those of Soviet goods.

Soviet Government, for instance, charged tariffs on lend-lease imports. This is evidenced by fact that in 1940 3 billion rubles were collected from tariffs in USSR and in 1944 it was planned to collect 24 billion a year when practically all imports into USSR came from US, UK and Canada under lend-lease and mutual aid programs. This was clearly done for reason mentioned in above paragraph.

Same end could be obtained without tariffs. Foreign Trade Commissariat would be permitted for instance to release imported goods to Soviet institutions at prices comparable to those of Soviet made goods without charging any tariffs. In this case profit would accrue to Foreign Trade Commissariat and could be taxed 100 percent by Government.

Thus tariff reductions by USSR would be fictitious concession and would not have any effect on Soviet foreign trade.

The question of our own tariff policy should be judged therefore on considerations other than obtaining reduction of Soviet tariffs.

HARRIMAN

611.0031/11-145

The Secretary of State to the Ambassador in Cuba (Norweb)

[Extracts]

No. 199

WASHINGTON, November 1, 1945.

SIR: Within the immediate future the Department proposes to publish "Proposals for the Expansion of World Trade and Employ-

ment—Developed by Staff Members of Various Departments of the United States Government in Preparation for an International Conference on Trade and Employment, and Presented for Consideration by the Governments and Peoples of the World.” These Proposals will suggest measures for the reduction of governmental barriers to international trade; prevention of action by private business interests which restrict international trade; policies which should be adopted with respect to commodities when supply exceeds effective demand; international measures for the maintenance of high levels of employment; and the creation of an International Trade Organization under the United Nations Economic and Social Council, to serve as a forum for discussion of problems in the entire field of commercial policy.

The proposals for the reduction of trade barriers will cover such questions as the lowering of tariffs and the general elimination of quotas and licenses. They will touch also upon the matter of preferential trade relations between various countries of the world and it is clear that if there is to be a solution to the problem created by the existence of such preferential trading arrangements as those which exist between the members of the British Commonwealth of Nations, consideration must equally be given to the preferential trading arrangement which has existed between the United States and Cuba.

Because it is recognized that the publication of these Proposals, including reference to the matter of trade preferences (even though the United States-Cuban situation is not specifically mentioned), will have important repercussions in Cuba, it has been deemed desirable to give the Cuban Government some advance notice and explanation regarding the Proposals in general and the matter of preferences in particular in so far as they will relate to the Cuban situation. . . .

With regard to substance, in so far as the matter of preferences is concerned, there is enclosed a copy of the section of the Proposals dealing with that subject. These Proposals are in somewhat different form than at the time they were explained to Mr. Nufer¹² when he was in the Department. The purpose of these Proposals is to set forth the general objective that tariff preferences will be eliminated as a part of a world-wide movement for the relaxation of trade barriers of all kinds and, as a step to this end, to provide a basis on which initial negotiations can be conducted. While it is the Department's hope that the negotiations in the Spring of 1946 will result in the substantial elimination of preferences, it is recognized that the extent to which this can be achieved will largely depend upon the willingness of the major trading nations to take equally comprehensive and

¹² Albert F. Nufer, Economic Counselor of the American Embassy in Cuba.

thoroughgoing action with regard to other barriers to trade. In other words, it is an essential part of the Proposals that those countries which are asked to relinquish the protection to their exports afforded by preferences will be compensated by the additional outlets for their exports expected to result from a general lowering of trade barriers:

Since it is believed that the Cuban Government is likely to raise questions on these points, the following explanation is offered with regard to subparagraphs *a* and *b* of paragraph 1 of the statement on preferences:

1. With regard to point *a*, providing that existing international commitments (such as those embodied in the trade agreement between the United States and Cuba¹³) will not be permitted to stand in the way of action agreed upon with respect to tariff preferences, it is not meant by this that such commitments are to be abrogated forthwith, but merely that they shall be adapted, through the normal processes of consultation between the parties concerned, so as not to impede the effectiveness of the arrangements agreed upon. The inclusion of Cuba among the nations which would be invited to participate in the negotiations next Spring would assure the Cuban Government a voice in determining these arrangements.

2. Point *b* sets forth a principle which is important primarily in dealing with British preferences and is designed to prevent the adoption of the bargaining position that the reduction or elimination of each margin of preference must be negotiated entirely apart from the the reduction of the non-preferential tariff accompanying the preference. It should be emphasized, however, that this provision does not mean that preferential rates of duty, such as those applying to articles imported into the United States from Cuba, cannot be reduced.

The Embassy will be kept currently informed as to further developments, and whether the advance information for the Cuban Government is to be transmitted through the Cuban Embassy in Washington or through the Embassy in Habana. In the meantime, if after studying the enclosures, the Embassy has questions with regard to any point, the Department will be pleased to supply the necessary information.

Very truly yours,

For the Secretary of State:
WILLIAM L. CLAYTON

[Enclosure]

PREFERENCES

1. *Import tariffs and preferences.* In the light of the principles set forth in Article VII of the mutual aid agreements, members should

¹³ For documentation on the second supplementary reciprocal trade agreement between the United States and Cuba, signed at Habana, December 23, 1941, see *Foreign Relations*, 1941, vol. VII, pp. 196 ff.; for text of agreement, see Department of State Executive Agreement Series No. 229, or 55 Stat. (pt. 2) 1449.

enter into definite arrangements for the substantial reduction of tariffs and for the elimination of tariff preferences. As an initial step in the process of eliminating tariff preferences it should be agreed that:

a. Existing international commitments will not be permitted to stand in the way of action agreed upon with respect to tariff preferences.

b. All negotiated reductions in most-favored-nation tariffs will operate automatically to reduce or eliminate margins of preference.

c. Margins of preference on any product will in no case be increased and no new preferences will be introduced.

2. Action for the elimination of tariff preferences would be taken in conjunction with adequate measures for the substantial reduction of barriers to world trade, as part of the mutually advantageous international arrangements contemplated in this document.

611.0031/11-645

The Ambassador in Cuba (Norweb) to the Secretary of State

No. 446

HABANA, November 6, 1945.

[Received November 9—2:32 p. m.]

SIR: I have the honor to refer to the Department's secret air mail instruction no. 199 of November 1, 1945, informing the Embassy of the proposed early publication of "Proposals for the Expansion of World Trade and Employment" which will suggest measures for the reduction of governmental barriers to international trade, et cetera, and which will touch also upon the matter of preferential trade relations between various countries of the world. The Department points out that if there is to be a solution to the problem created by such preferential trading arrangements as those which exist between the members of the British Commonwealth of Nations, consideration must equally be given to the existing preferential trading arrangement between the United States and Cuba.

It is noted that the Department, realizing that the Proposals and especially the reference therein to trade preferences, will have wide repercussions in Cuba, considers it advisable to give the Cuban Government some advance notice and therefore proposes, shortly before the publication thereof, to deliver an explanatory memorandum, together with supplementary oral information, to the officer in charge of the Cuban Embassy, who will be requested to transmit the memorandum (of which a draft was attached to the Department's instruction no. 199) to his Government.

I have studied carefully the Department's instruction and draft memorandum and find myself in full agreement with the suggested procedure. We obviously cannot consistently endeavor to maintain

the Cuban tariff preferences in the face of our overall commercial policies and our request of the British that they eliminate or reduce imperial preferences.

As the Department points out, the effects in Cuba of the announcement that the preferential tariff treatment which the United States and Cuba have accorded each other since 1902 must be abandoned will be far-reaching. Those effects, however, will be more political and psychological than economic, as the duty preference on Cuban sugar (which is still the all-important item in Cuba's economy) has already been substantially reduced as a result of our trade agreement with Peru,¹⁴ while Cuba's need for the preference has been largely removed by the operation of the 1937 Sugar Act,¹⁵ which assures Cuba of a substantial participation in our sugar market. Moreover, such other important items in Cuba's trade with the United States as Havana tobacco (because of its exceptional quality) and fresh fruits and vegetables (because of their perishable nature and Cuba's geographic proximity to the United States) may be expected to suffer little, if at all, from the loss of their duty preferences.

It is not intended to convey the impression that the elimination of the tariff preferences will not prove prejudicial to certain phases of Cuba's economy, but I believe it is safe to say that it will affect more seriously our exports to Cuba than Cuba's exports to the United States. Our rice growers, for instance, when again faced with Oriental competition, will, if deprived of the Cuban duty preference on American rice, expectedly lose the Cuban market, which during recent years has taken about 25 percent of our entire rice production. Although rice is perhaps the outstanding example, there are many other instances where American producers, manufacturers and exporters will find it difficult if not impossible to maintain their position in the Cuban market once they no longer have the competitive advantage afforded them by the duty preferentials. It is assumed, of course, that the Department and the other interested agencies of our Government are fully aware of and have given careful consideration to this particular aspect of the matter.

With further reference to the repercussions in Cuba of the elimination of the tariff preferences, it should be mentioned that Cuba has for the past several years been enjoying unusual prosperity and that this condition may be expected to endure so long as the sugar market continues favorable. If the proposed step must be taken, the present moment would therefore seem to afford as propitious an opportunity as can be hoped for as its effects would be less severely felt now than during a period of economy depression. These effects will doubtless

¹⁴ Signed at Washington, May 7, 1942; for text, see Department of State Executive Agreement Series No. 256, or 56 Stat. (pt. 2) 1509.

¹⁵ 50 Stat. 903.

be further minimized by Cuba's inclusion in the group of leading trade nations with which our Government hopes next spring to negotiate a multilateral trade agreement, as the Cubans will gather therefrom that they may expect to receive additional tariff concessions on some of their leading export products even though these concessions are on an unconditional-most-favored-nation or multilateral basis. The Embassy is therefore especially gratified that the Department has decided to include Cuba in this select group.

In conclusion, I wish to express my appreciative recognition of the competent and tactful manner in which the Department proposes to broach this delicate problem, a procedure which it is believed will help materially to cushion the impact of the measure on Cuban public opinion and to minimize its psychological and political effects.

Respectfully yours,

R. HENRY NORWEB

560.AL/11-1445

The Secretary of State to All Diplomatic Officers Except Those in Argentina, Cuba, and Spain

WASHINGTON, November 14, 1945.

The Secretary of State encloses copies of a document entitled "Proposals for Expansion of World Trade and Employment"¹⁶ which was referred to in the Department's circular telegram of November 2, 1945.¹⁷

Copies of this document will be transmitted to diplomatic missions in Washington upon a later date regarding which the Officer in Charge will be informed in accordance with the Department's circular telegram of November 5,¹⁷ and it is desired that copies be handed to the Ministers of Foreign Affairs as soon as possible after the missions have received clearance from the Department to do so.¹⁸ Advantage should be taken of the opportunity for an oral statement along the following lines:

The Proposals now presented are the result of many months of careful work and, although the details are presented for consideration by people everywhere as the work of technical experts within the United States Government, the principles underlying them carry the official endorsement of this Government.

¹⁶ For text, see Department of State *Bulletin*, December 9, 1945, p. 918; for related material, see *ibid.*, pp. 912-918.

¹⁷ Not printed.

¹⁸ A circular telegram of December 5, 1945, 8 a. m., gave the release date as December 6, and instructed the diplomatic officers to deliver the document on that date to the respective Foreign Ministers or Foreign Offices. On the same date the document was to be given to foreign diplomatic missions in Washington. (560.AL/12-545)

As noted in the foreword by the Secretary of State the Proposals are presented for consideration in preparation for an International Conference on Trade and Employment which the United States Government, through its representatives on the appropriate organ of the United Nations, will propose be held not later than the summer of 1946. Representatives of the United Nations have met and laid the groundwork for future cooperation in the fields of currency and investment, food and agriculture, and civil aviation.¹⁹ There remains in the economic sphere, however, the necessity for early and effective cooperative action in the field of trade and employment.

The Government of the United States believes that the success of an international conference on trade and employment requires adequate preparation and as full agreement on basic principles as it may be possible to achieve in advance of such a conference. The specific proposals which are now being presented are intended to contribute in a practical way to such advance preparation and agreement. The Government of the United States hopes, therefore, that careful study will be given to these Proposals and that in due course the nations of the world will make known their views regarding them.

560.AL/12-545

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

No. 6227

WASHINGTON, December 5, 1945.

SIR: Reference is made to the Department's circular telegrams of November 2, 5 p. m. and November 5, 9 a. m.,²⁰ and to the Department's circular instruction of November 14, regarding the proposed publication of "Proposals for Expansion of World Trade and Employment."

1. When the document entitled "Proposals for Expansion of World Trade and Employment" has been published, and copies have been transmitted to the Government of the United Kingdom in accordance with the circular communications referred to above, you are requested to deliver to the appropriate British officials the following invitation from the Government of the United States:

"The Government of the United States refers to the document 'Proposals for Expansion of World Trade and Employment' which has been transmitted to the Government of the United Kingdom, and to the proposal of the Government of the United States that the United Nations Organization convene in the summer of 1946 a conference on

¹⁹ For documentation on the preliminary and exploratory discussions regarding international civil aviation and the Conference held at Chicago, November 1-December 7, 1944, see *Foreign Relations*, 1944, vol. II, pp. 355 ff.

²⁰ Neither printed.

trade and employment to consider and take action to realize the objectives referred to in that document.

"It is the view of the Government of the United States that the success of the proposed conference can best be realized if there is thorough-going preparation for it; and that such preparation should include concrete plans, which the principal trading nations of the world would be prepared to adopt, for the actual reduction of tariffs and other trade barriers, and the elimination of discriminatory trade treatment, in accordance with the objectives agreed upon in Article VII of the Mutual-Aid Agreement between the United States and the United Kingdom.

"The Government of the United States therefore has the honor to ask the Government of the United Kingdom whether it would be prepared to appoint representatives to attend a preliminary meeting in March or April of 1946, to be held at a place to be determined. It would be the purpose of the meeting, which would be attended by the other governments accepting invitations, to:

a) negotiate, for the consideration of the proposed conference, concrete arrangements for the relaxation of tariffs and trade barriers of all kinds which would command the support of governments attending the conference; and

b) to consult, and to reach such preliminary understandings as may be practicable, with regard to other topics on the proposed agenda for the conference referred to above.

"In order that the representatives of the United States may make a practical contribution to the work of the preliminary meeting, it will be necessary for the Government of the United States, under the procedure required by the Trade Agreements Act, to issue public notice of intention to negotiate for the reduction of tariffs and other trade barriers with the governments intending to participate in that meeting. In view of the public hearings and other procedures required by law this notice should be issued at least three months prior to the beginning of definitive international discussions by the representatives of the United States. Accordingly, the Government of the United States hopes to be able to issue, by the end of this year or early in 1946, a public notice of intention to negotiate with the United Kingdom. In order to make this possible, it is urged that the Government of the United Kingdom indicate, prior to December 31, 1945, whether it will participate in the preliminary meeting.

"In accordance with customary practice, the proposed public notice will be accompanied by a list of the products which will be considered for the granting of trade concessions to the United Kingdom and on which public hearings will be held. The list will include those products of which the United Kingdom has been, or is likely to become, a principal supplier to the United States.

"This invitation is also being sent to the following governments:

France, Canada, South Africa, New Zealand, Australia, India, Belgium, Luxembourg, Brazil, Netherlands, Czechoslovakia, Cuba, U.S.S.R. and China."

2. The Department intends to send you shortly an instruction providing detailed information regarding its views as to the nature

of the agreement to be sought at the preliminary meeting in the spring of 1946, the procedures which the Department will propose for the reaching of such agreement, and the relation between this meeting and the general international conference on trade and employment which it is hoped would be held sometime in the summer of 1946. Pending receipt of this instruction you are authorized to provide the appropriate British officials with a statement containing the following explanatory outline:

A. At the preliminary meeting in the spring of 1946, to be attended by the United States and by such of the other fourteen countries receiving invitations which have accepted the invitation, each country would present a schedule of the tariff concessions which it would be prepared to grant in an agreement with the other countries attending the meeting, such an agreement also to contain mutually acceptable provisions dealing with tariff preferences and non-tariff trade barriers. Each country should also be prepared to make requests of the tariff concessions which it desires to receive from each of the other countries attending the meeting.

B. The tariff concessions in the schedule proposed by each country would be offered to all the other countries as a group. Each country would thus obtain in its own right all of the concessions made by each of the other countries.

C. With regard to non-tariff trade barriers, there would be included in the draft agreement provisions, uniformly applicable to the trade of all participants, giving effect to the objectives as to non-tariff trade barriers which are set forth in Chapter III of the "Proposals for Expansion of World Trade and Employment" (e.g., elimination of exchange controls, regulation of subsidies, abolition of quotas, et cetera).

D. These discussions would also afford opportunity for consultation among the countries participating in the meeting regarding all other elements in the Proposals (i.e. questions of employment, policy regarding "surplus" commodities, cartel policy, and an international trade organization).

E. The tentative agreement among the countries participating in the preliminary meeting (excluding the tariff schedules) would be subject to change at the general international conference, in the light of the considerations advanced by other countries.

F. The general conference would also consider the questions of adherence to the draft agreement reached at the preliminary meeting and the treatment to be accorded by countries which accept the agreement to the trade of those which do not accept it and of any countries not invited to participate in the general conference. The drafting countries, i.e. those participating in the preliminary meeting, should propose at the conference that non-drafting countries be considered

as provisionally adhering to the agreement upon acceptance of *a*) the nontariff provisions and *b*) a commitment to undertake bilateral tariff negotiations with the other countries adhering to the agreement. Countries considered as adhering provisionally before they have completed such tariff negotiations should be required to give adequate tariff concessions in return for benefits which they receive as a result of other tariff negotiations already concluded. The drafting countries should also propose that, subject to exceptions for particular countries recommended by the proposed International Trade Organization, the benefits of the agreement should, after a reasonable period of time, be withheld from the trade of those countries which failed to adhere to it, and that the tariff concessions should similarly be withheld from the trade of countries which, having adhered, failed to negotiate tariff reductions judged by the International Trade Organization to be in conformity with the spirit of the agreement. Drafting countries and provisionally adhering countries should retain full liberty of action to determine whether to extend most-favored-nation treatment to the trade of countries not invited to participate in the conference and not immediately eligible to adhere to the convention. Decision in such cases would presumably be influenced by the adequacy of arrangements made by the non-adhering countries in liberalizing their trade more or less *pari passu* with the action taken by adhering countries. Findings and reports of the proposed International Trade Organization regarding the trade and commercial policies of non-adhering countries might assist adhering countries in reaching such decisions.

G. Upon the close of the conference the agreement would be brought into force among the drafting countries and such other countries as would join, in accordance with their constitutional procedures.

Very truly yours,

For the Secretary of State:
WILLIAM L. CLAYTON

560.AL/10-1945 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, December 12, 1945—3 p. m.

2505. Reurtel no. 3597, Oct 19. Dept aware many of the matters to be discussed in proposed negotiations are primarily applicable to countries with economies based on private enterprise. However, you will note from enclosure to Depts circular instruction, Nov 14, that US trade proposals do deal with question of rules for state trading which directly affect U.S.S.R. U.S.S.R., having complete monopoly of foreign trade, would be asked to agree to purchase foreign goods

up to minimum value in return for tariff and other trade barrier reductions on part of other countries.

In return for most-favored-nation treatment, which would be offered to U.S.S.R., U.S.S.R. would be asked to enter into commitment not to discriminate against commerce of other countries and to make all external purchases and sales solely on basis of commercial considerations.

ACHESON

560.AL/12-1445

Memorandum of Conversation, by the Assistant Secretary of State for European, Far Eastern, Near Eastern, and African Affairs (Dunn)

[WASHINGTON,] December 14, 1945.

The Norwegian Ambassador referred to the invitation sent out a few days ago to fourteen nations to discuss trade arrangements preliminary to the meeting of the International World Trade Conference. Mr. Morgenstierne said that he felt that in view of the importance of Norway's position in commerce and shipping generally, she was entitled to be included among the nations invited to this preliminary arrangement.

Mr. Acheson ²¹ explained to the Ambassador that these invitations were not concerned with arrangements or preliminary discussions relating to the International World Trade Conference; they were for the purpose of negotiating tentative arrangements which could later be put in the form of trade agreements with certain countries, the trade in certain commodities with regard to which the tariffs were at present on a high level. The intention of the discussions provided for in these invitations was to put the United States in a position to lower its duties in the event agreements were entered into between other countries to lower their duties and generalize such agreed reductions. Mr. Acheson explained that it was necessary for the United States in conformity with the existing statutes regulating tariffs to proceed along these lines and negotiate these tentative arrangements as it was not possible for us to agree to make general horizontal reduction in our tariffs. By working out these interim arrangements we would be in a position to go along with substantial reductions in tariffs which would correspond to a general reduction which might be entered into by the other countries in the International Trade Conference.

Mr. Acheson asked Mr. Dunn to undertake to give Mr. Morgenstierne further information with regard to these proposed negotia-

²¹ Dean Acheson, Under Secretary of State.

tions, in order that he might fully understand the position which required our undertaking these conversations.

JAMES CLEMENT DUNN

560.AL/12-1545 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, December 15, 1945—5 p. m.

[Received December 17—8 : 50 a. m.] ²²

4184. Re Department's circular December 7, 5 p. m.²³ and Deptel 2505, December 12, 3 p. m. With respect to invitation which I am directed to present to Soviet Government to participate in March preliminary meeting on trade and employment, I wish to make following observation:

1. Meeting is to be largely for purpose of negotiating reductions of tariffs. I explained in my 3597, October 19, why lowering of Soviet tariffs cannot be considered as a concession on Soviet part. Department now indicates Russia is to be asked to bind itself to purchase goods up to a certain minimum value from other parties to the agreement, to refrain from discrimination, and to make purchases and sales solely on basis of commercial considerations.

In view of this Embassy, these points are all unrealistic. In absence of any international agreement, Soviet purchases from foreign countries are going to be determined by a definite plan, which takes into account a number of factors such as amount of credits and foreign exchange available, need for specific commodities, et cetera. This plan, incidentally, is never revealed to outsiders. A Soviet commitment to purchase a minimum amount abroad could be considered a concession from our standpoint only if this amount were greater than what Soviets had planned anyway to purchase. But Soviets need imports badly, and their import plans will doubtless envisage maximum they can manage financially. To bind them to a limit no higher than that maximum would be to ask them for no concession at all. To bind them to a limit higher than that maximum would be of questionable wisdom. Soviet imports are going to outweigh actual commodity exports heavily for a long time to come. The problem is not to bring pressure to increase their orders abroad. The problem is to get them to contribute to world economy something even half way commensurate to what they expect to get out of it. To ask them to buy beyond their own estimated maximum will not solve this problem; it will only aggravate it.

²² Marginal note on file copy of this telegram: "Delay due to undecipherability of original".

²³ Not printed.

As to other points, there is no reason to suppose that Soviet Government would promise in good faith not to discriminate or to buy and sell solely on commercial considerations. Soviet leaders have never ceased to pride themselves on their foreign trade monopoly as a unique and superior political weapon in dealings with capitalist world, and I can assure Department that they have no serious intention of forfeiting any of advantages it gives them. Nor could they ever be held to such a pledge. Who could prove that allocation of certain orders in one country rather than another constituted "discrimination"? Soviet Government would hardly undertake any blanket obligation to give explanations to foreign governments as to motives of its allocation of orders, and even if it did it could easily find numerous arguments (some of which would be beyond our power to check or rebut) to prove that commercial considerations had been dominant.

The things we want from Russia on economic lines are not these. Of much greater importance to us and to cause of international economic collaboration would be a Russian willingness—not yet evidenced—to join with us in trying to solve Europe's desperate food and supply problems on a non-political basis; to do something toward economic rehabilitation of Balkan countries which have now been driven literally to brink of ruin by Soviet policies; and to cease pursuing special economic monopolies and other advantages in eastern and central Europe through secret agreements negotiated under the shadow of political intimidation and deliberately concealed from Russia's major Allies.

Department may rest assured that no favorable answer will be forthcoming to this invitation until after present political talks²⁴ and possibly not for weeks thereafter. In addition, "proposals" on which this invitation is based have not yet reached this mission. We will, therefore, await further instructions before extending invitation.

2. I strongly recommend that the invitation be phrased in such a way as to indicate to Russians what will be expected of them. As it stands, particularly with the oral comment Department has suggested, they would enter March talks with firm impression that all they would be asked to do would be to make tariff concessions in return for similar concessions on part of other countries. It would be unfortunate for them to go into talks with this understanding and then to discover that they alone, of all those present, were to be expected to undertake special obligations for minimum purchases from other countries. Russians are peculiarly sensitive about matters of agenda. Their representatives have little latitude in negotiation in best of circumstances, and when faced with unexpected changes in agenda

²⁴ Meeting of Foreign Ministers, Moscow, December 16-26, 1945; for documentation, see pp. 560 ff.

they are usually obliged to insist on long delays while they get new instructions.

HARRIMAN

560.AL/12-2045 : Telegram

The Ambassador in Norway (Osborne) to the Secretary of State

OSLO, December 20, 1945—6 p. m.

[Received December 21—10:51 p. m.]

808. Reurcirtel November 2.²⁵ Prebensen²⁶ in absence of Lie²⁷ urged me to do anything possible to have Norway included among countries invited to send representatives to meeting of the Preparatory Conference on Trade and Employment. Request is based on following grounds:

1. No northern European country is on the list of those invited.
2. Norway has special interest in international trade because of large merchant marine and her especially great dependence on imports.
3. Norway has special interest in and has always loyally supported all efforts for international cooperation.
4. Norway is or at least hopes to be more important in US overseas trade than some of the countries included.

Prebensen said Morgenstierne has already taken this matter up with Dept.

Most serious result of Norway's exclusion will be injured feelings, which I should, of course, be glad to have avoided. Also it is Embassy's opinion that Norway would generally support our views at conference.

OSBORNE

560.AL/12-2345 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 23, 1945—5 p. m.

[Received December 24—11:29 p. m.]

13452. Deptel 10858, December 18.²⁸ Following is text of FonOff reply²⁹ accepting invitation to preliminary meeting on trade and employment:

²⁵ Not printed.

²⁶ Per Preben Prebensen, Norwegian Permanent Under-Secretary for Foreign Affairs.

²⁷ Trygve Halvdan Lie, Norwegian Minister for Foreign Affairs.

²⁸ This telegram repeated substance of instruction 6227, December 5, to London, p. 1345.

²⁹ Dated December 22, 1945.

"I have the honour to acknowledge the receipt of Your Excellency's note No. 5191 of the 19th December ³⁰ referring to the document 'Proposals for Consideration by an International Conference on Trade and Employment', suggesting various measures which should be taken in preparation for the proposed conference and inviting His Majesty's Govt. in the UK to appoint representatives to attend a preliminary meeting to be held in March or April of 1946 at a place to be determined.

2. I have to inform you in reply that His Majesty's Govt share the view of the US Govt that there should be thorough preparation for the proposed international conference and would accordingly be glad to appoint representatives to attend the preliminary meeting for the purposes described in the third paragraph of your note.

3. On the subject of the date at which the proposed meeting should be held His Majesty's Govt share, of course, the desire of your Govt that the contemplated discussions should lead to an early and satisfactory result. They are, however, in some doubt whether the thoroughgoing preparations necessary to ensure success can be completed in time for the meeting to be held in March or April. The trained staff available for these preparations has been under great strain and is limited in number. His Majesty's Govt also feel that other govts invited to attend may be suffering from the same disadvantages. The representatives of certain govts will, moreover, have a considerable distance to travel. His Majesty's Govt would therefore prefer to reserve for the time being their final expression of opinion on the actual date at which the meeting should take place and they suggest that the matter should be further considered in the light of the replies received from other govts.

4. His Majesty's Govt take note of the steps, described in the fourth paragraph of your note, which it will be necessary for the US Govt to take in accordance with the provisions of the Trade Agreements Act and their customary practice thereunder. They trust, however, that their immediate acceptance of the invitation to appoint representatives to attend the preliminary meeting will so far as they are concerned remove any obstacle to the immediate initiation of this procedure.

5. With regard to the proposed list of products which will be considered for the granting of trade concessions, His Majesty's Govt desire to point out that in their view the discussions relating to tariffs and preferences could not be satisfactorily completed if they did not embrace Newfoundland, Southern Rhodesia, Burma and the non self-governing colonies and protectorates and the mandated territories the mandate for which is held by His Majesty's Govt in the UK. They trust, therefore, that it will be possible to include in the list of products on which concessions to the UK will be considered, products which are of interest to the territories mentioned above, and that in view of the short time remaining before the publication of the list, the US Govt will be able to arrange for the publication of supplementary lists containing any items which may prove to have been omitted from the original list."

³⁰ Not printed.

Reservation regarding time of meeting has been discussed with Liesching ³¹ and other Board of Trade officials and with Hall Patch ³² of FonOff, all of whom are anxious that this reservation should not be regarded as indicating any disposition to neglect carrying out fully, letter and spirit of Washington undertakings. There is no disposition to question fact that March-April target date was part of those undertakings but after resurveying situation on return to London Liesching began to have some misgivings as to ability to complete preparatory work by that time. They unquestionably have difficult manpower problem and Embassy is satisfied pressure will be applied to complete work at earliest possible date.

With reference to last paragraph of note, Board of Trade has furnished following list of British colonies which are not fully self-governing, of British protectorates and protected states, and of mandated territories administered under the authority of His Majesty's Govt in the UK of Great Britain and Northern Ireland:

Aden (colony and protectorate); Bahamas, Barbados, Basutoland, Bechuanaland protectorate, Bermuda, British Guiana, British Honduras, British Solomon Islands protectorate, Ceylon, Cyprus, Falkland Islands and dependencies, Fiji, Gambia (colony and protectorate), Gibraltar, Gilbert and Ellice Islands Colony; Gold Coast—(a) Colony, (b) Ashanti (c) Northern Territories (d) Togoland under British Mandate; Hong Kong, Jamaica (including Turks and Caicos Islands and the Cayman Islands), Kenya (colony and protectorate), Leeward Islands—Antigua, Montserrat, St. Christopher and Nevis, Virgin Islands; Malay States—(a) Federated Malay States—Negri Sembilan, Pahang, Perak, Selangor, (b) Unfederated Malay States—Johore, Kedah, Kelantan, Perlis, Trengganu and Burnei; Malta; Mauritius; New Hebrides; Nigeria—(a) Colony (b) protectorate (c) Cameroons under British Mandate; North Borneo, state of; Northern Rhodesia; Nyasaland protectorate; Palestine (excluding Trans-Jordan); St. Helena and dependencies; Sarawak; Seychelles; Sierra Leone (colony and protectorate); Somaliland protectorate; Straits Settlements; Swaziland; Tanganyika territory; Tonga; Trans-Jordan; Trinidad and Tobago; Uganda protectorate; Windward Islands—Dominica, Grenada, St. Lucia, St. Vincent; Zanzibar protectorate.

WINANT

³¹ Sir Percivale Liesching, Second Secretary, British Board of Trade.

³² Edmund Leo Hall-Patch, British Assistant Under-Secretary of State.

560.AL/12-2845 : Telegram

The Ambassador in the Netherlands (Hornbeck) to the Secretary of State

THE HAGUE, December 28, 1945—4 p. m.

[Received December 29—4:33 p. m.]

333. Responsible official Netherlands FonOff today indicated informally to Embassy officer that:

(1) Netherlands Government intends accept invitation to participate preliminary meeting trade conference. (Depcirtel December 14, Embtel No. 330, December 27.³³)

(2) Netherlands Government would be pleased if consideration could be given to extension invitation to Norway with which Netherlands hopes develop close economic relations.

(3) In opinion Netherlands Government inclusion Norway and perhaps some other smaller Allies would counterbalance predominance of British Empire countries.

HORNBECK

560.AL/12-1545 : Telegram

The Acting Secretary of State to the Ambassador in the Soviet Union (Harriman)

WASHINGTON, December 28, 1945—8 p. m.

2648. Dept appreciates considerations advanced urtel 4184 of Dec. 15. However, participation by USSR is deemed of great importance. Political importance of USSR as member of Big Three alone would provide compelling reason for invitation. Moreover, spring negotiations and later general conference will provide medium for discussion of methods of establishing an international trade framework designed to encompass both private enterprise and state-trading systems. Because the USSR is the major representative of the state-trading system, it seems clear that participation of USSR is essential in formulating this framework. Additional reason is desire to maintain in ITO,³⁴ as agency of UNO,³⁵ full representation of parent agency. This Govt hopes USSR will accept invitation and will participate fully.

2. "Proposals" incorporate this Govt's current thinking, resulting from studies over last two years, on intermeshing two economic systems. Other valuable suggestions may arise at conference or prior thereto, and this Govt's views on state trading as reflected in "Pro-

³³ Neither printed; telegram 330 reported that the invitation had been delivered to the Netherlands Government (560.AL/12-2745).

³⁴ International Trade Organization.

³⁵ United Nations Organization.

posals" are open to modification. Preferred suggestions now center around global purchase commitment and principle of commercial considerations. Reasons supporting incorporation of these suggestions on agenda as promised in my telegram 2572 of December 18³⁶ follow.

3. Global purchase commitment. Dept agrees with your observations that purchase commitment for the USSR should not exceed its capacity to purchase abroad. In any event, such commitment would be subject to appropriate escape clauses.

While Dept agrees with you that there is probability that Soviet Union would purchase the maximum even in the absence of a commitment to do so, such a commitment would nevertheless appear to be the most satisfactory one which can be asked of countries having a complete state monopoly of foreign trade. The knowledge that the USSR was prepared to purchase a given amount of goods during a given period would contribute to the stability of world trading conditions by providing advance information to other countries regarding magnitude of foreign trade operations of USSR. The evidence which such a commitment would give of Soviet participation in the proposed trade arrangements would stimulate confidence here and elsewhere in the general success of the program. Finally, it is believed that a commitment of this kind would be valuable from the viewpoint of general public opinion in the United States and elsewhere outside the USSR.

The idea of a purchase commitment on the part of the USSR is not new. It was first suggested by USSR at the London Economic Conference of 1933.³⁷ The principle is also included in a bilateral form in the commercial agreements which the US has concluded with USSR.

The subject of the size of the global purchase commitment which might be asked of the USSR is now being studied. A memorandum outlining various proposals which have been made with respect to the global purchase principle will be sent to the Embassy as soon as possible.

4. Principle of commercial considerations. This principle relates to all state trading operations, whether in USSR or elsewhere. It is recognized that the principle would be difficult to administer in particular cases; yet it is a pledge which, if carried out in good faith, would prevent the use of a state monopoly for purposes of exerting political pressure upon other countries. The pledge of fair and equitable treatment of which the principle of commercial considera-

³⁶ Not printed.

³⁷ For documentation on the Monetary and Economic Conference, London, June 12-July 27, 1933, see *Foreign Relations*, 1933, vol. 1, pp. 452 ff.

tions is a standard is analogous to the pledge of most-favored-nation treatment on the part of private-enterprise countries.

These assurances of non-discriminatory treatment in respect of govt. monopolies and state trading operations have been included in earlier trade agreements concluded by the US, although designed in such cases only to deal generally with individual products which might be monopolized. These provisions appear to be the best that could be devised for a country having a complete state monopoly of foreign trade as well as those cases of single-product monopolies.

The provisions regarding non-discrimination would be applicable to the countries of Eastern Europe and thus would serve to limit the economic instruments available to the USSR in dealing with these countries. For example, the USSR would implicitly be required to refrain from discriminatory clearing agreements and barter arrangements. It would also be unable to accord special treatment or privileges to the commerce of the countries of Eastern Europe without specific exception in the commercial policy principles of the International Trade Organization. ITO would provide valuable forum for discussing deviations from rules. Likewise, the countries of Eastern Europe, if they become members of the International Trade Organization, would be required to abide by certain principles in the conduct of their foreign trade. It is believed that the program will serve to mitigate the effect on other countries of the exclusive position which the USSR now has in that area.

It is recalled that the USSR has on two occasions proposed a pact for economic non-aggression which provided that the Contracting Parties would "abstain in their mutual relations from all forms of discrimination." (For text see annex 11, page 68 of the minutes of the 4th Session of the Commission of Enquiry for European Union Sept. 3-5, 1931 League of Nations number c.681.M.281.1931.VII and Monetary and Economic Conference, London June 20, 1933, League of Nations number C.M.E/C.E./15.)

The general subject of Soviet cooperation in the formulation of programs for feeding Europe, economic rehabilitation of Eastern Europe etc. could not be properly included on agenda for spring negotiations or general conference which would be concerned with establishing the ITO and formulating broad policies relating to world trade and employment. It is hoped that Soviet cooperation in this program will, however, be a step toward the objective of Soviet contribution to world economy commensurate with what they receive from it.

4. [*sic*] It should be noted in general that while certain of the provisions of Proposals (e.g., reduction of tariff levels) would not be applicable to the Soviet Union, certain other provisions (e.g. export

subsidies, transit duties, cartels and commodity policy) would appropriately apply even though no specific mention is made of their application to controlled economies. The Soviet Union will in all probability be particularly interested in questions of cartels and commodity policy which would be under ITO. Soviets have frequently stated opposition to cartels and could be concerned in carrying out program of imports with proposed controls over cartels. With respect to commodity agreements the USSR would undoubtedly wish to have a voice in any arrangements restricting trade in products of which it is a consumer, as well as products of which it is an exporter.

5. You may communicate to the Soviet officials as an explanatory statement such of the foregoing as you in your discretion consider necessary for an adequate understanding by them of the portions of the Proposals relating to countries having a complete state monopoly of foreign trade. Advise Dept of what Soviets are told. You should also communicate a statement along the lines of that contained in Deptcirtel of Dec. 7,³⁸ which makes it clear that the Soviet Union, if it should decide to participate in the negotiations, would request tariff and other trade-barrier concessions on its export products from each of the other participating governments. Your statement should include mention of the paragraph in the instruction under reference which deals with the possibility of withholding tariff reductions and other benefits from the trade of nonparticipating countries.

We realize that the Proposals are open to some of the objections which you have raised. Dept would appreciate receiving any suggestions which you may have for their improvement.

ACHESON

560.AL/12-2145 : Telegram

The Acting Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, December 29, 1945—7 p. m.

6083. Reurtel 7287, Dec. 21, 3 p. m.³⁸

1. We would expect that multilateral arrangements providing for the reduction of tariff rates on specific products and limitation of other trade barriers which may result from negotiations with countries invited to participate in preliminary conference and the world trade conference would replace or override existing trade agreements with France and other countries parties to the contemplated multilateral agreement.

2. For your confidential information, it now appears that it will not be possible to issue our public announcement of intention to nego-

³⁸ Not printed.

tiate with these countries until about the end of February. This will probably postpone date of preliminary conference to some time in June. The moving forward of date of preliminary conference would appear to provide an adequate interval for prior bilateral economic and financial discussions with the French. In these bilateral discussions, Dept agrees with you that our objective should be to obtain at least tentative commitments by the French in support of our long-run commercial policy objectives.

3. Prior to and during these bilateral discussions, however, it will be necessary for France, as well as all other governments intending to participate in preliminary conference, to proceed rapidly with detailed preparations therefor. While such preparations need not involve advance commitments as to substance, they will, for example, require that France begin at an early date to formulate the tariff concessions which it would be prepared to offer in respect of the products of the other participating countries. Also, the French Govt should indicate to these countries, at an early date, the products of which France is a principal supplier to their markets and on which it would desire to receive tariff concessions from them.

4. As indicated in Dept's instruction no. 1657 [6227?] of Dec. 5, Dept intends to send you as soon as possible a detailed statement of its views regarding these and other procedures which it appears necessary to settle well in advance of preliminary trade conference. We would not wish to have these advance preparations delayed in any way by proposed bilateral discussions and you should resist any effort by French Govt to so delay these preparations.

ACHESON

560AL/12-2045 : Telegram

*The Acting Secretary of State to the Ambassador in Norway
(Osborne)*

WASHINGTON, January 12, 1946—10 a. m.

21. After careful consideration, it is felt that it would not be practicable to extend to the Norwegian Govt an invitation to participate in the preliminary meeting on trade and employment. This not only would add to size of group already large in view of complicated negotiations envisaged but would doubtless lead other Govts to press for invitations. Dept has already been approached informally by other Govts regarding such invitations.

Morgenstierne has taken up with Dept the desire of his Govt to be invited to preliminary meeting (reurtel 808 Dec. 20). In explaining to him reasons for omission of Norway and why it would not be possible to increase number of countries participating, following points

were made: (1) in selecting countries invited, primary emphasis was placed on assuring that group would be broadly representative as to types of trade barriers and economies and would include principal trading nations; (2) USSR included as member Big Five and as principal state-trading nation; (3) necessary to include all British Dominions because of their contractual obligations regarding tariff preferences and importance of action on imperial preferences; (4) Cuba included because of US-Cuba tariff preferences; (5) Luxembourg included as member of Belgo-Luxembourg Economic Union (re item 4 urtel 808); (6) no country was selected as representative of particular geographic area (re item 1 urtel 808); (7) shipping will not be discussed at conference (re item 2 urtel 808); (8) agreement reached at preliminary meeting will be opened to scrutiny of later world-wide conference; meanwhile views of Norwegian Govt on "Proposals for the Expansion of World Trade and Employment" will be welcomed and this Govt hopes Norway will look favorably on these proposals and will support them at world trade conference (re item 3 urtel 808); (9) finally, because of magnitude of task of negotiating detailed tariff concessions, this Govt has been compelled to limit number of countries participating in initial discussions.

It is suggested that you adopt similar approach in any discussion of matter with FonOff. Exclusion of Norway from preliminary meeting does not imply any lack of desire on part of this Govt for close trade relations with Norway.

ACHESON

CONCERN OF THE UNITED STATES OVER IMPLEMENTATION OF THE 1944 AGREEMENT ON PRINCIPLES HAVING REFERENCE TO THE CONTINUANCE OF COORDINATED CONTROL OF MERCHANT SHIPPING¹

[In 1945 American interest in an effective implementation of the Agreement on Principles Having Reference to the Continuance of Coordinated Control of Merchant Shipping, concluded at London on August 5, 1944, among the Governments of the United States, Belgium, Canada, Greece, the Netherlands, Norway, Poland, and the United Kingdom, was expressed through discussions with certain governments looking to their adherence to the agreement. Accessions were accepted and became effective as follows: Australia, February 19; France, March 15; India, April 9; New Zealand, May 24; South Africa, May 24; Brazil, June 1; Sweden, June 8; Chile, July 27; Denmark, August 8; Yugoslavia, October 10. Adherence of the Soviet Union, persistently sought, was never obtained.

For statement by the Department regarding the discontinuance of shipping controls effective March 2, 1946, together with text of a temporary agreement (expiring October 31, 1946) relating to the preservation on a voluntary basis of such controls as were deemed necessary to meet the ocean-transportation requirements of the relief and rehabilitation needs of liberated areas, see Department of State *Bulletin*, March 24, 1946, pages 487 ff.]

¹ For previous documentation, see *Foreign Relations*, 1944, vol. II, pp. 639 ff.

PARTICIPATION BY THE UNITED STATES IN A PLAN
FOR THE INTERNATIONAL CONTROL OF POSTWAR
MINE CLEARANCE IN EUROPEAN WATERS

800.83/5-345

The Secretary of the Navy (Forrestal) to the Secretary of State

WASHINGTON, May 3, 1945.

MY DEAR MR. SECRETARY: This refers to my previous letter dated 4 September 1944, copy enclosed,¹ regarding the international control of mine clearance in European waters after the defeat of Germany. In the fourth paragraph of this letter it was stated that "the United States might well be represented in the consideration of the problems of such mine clearance in an advisory capacity only".

Since the date of the above letter, several meetings have been held in London under Admiralty auspices at which a draft agreement on post-war mine clearance has been prepared. U.S. Navy representatives have requested that a paragraph be inserted in the draft agreement stating that United States membership would be in an advisory capacity only and that such membership would not obligate the U.S. Navy to furnish minesweeping forces for mine clearance in European waters. Russian representatives, however, have been unable to agree to the inclusion of such a paragraph on the grounds that all members should be on an equal footing and that no mention should be made in the draft agreement of the extent or limitations of any governments' participation in actual minesweeping. In order to meet Russian objections, United States representatives have been authorized to agree to omission of the paragraph in question, thereby putting United States representation on a full membership basis.

Therefore, since no mention will be made in the draft agreement that the United States will not be obligated to participate in the actual minesweeping, it is requested that the British, Russian and French Governments be advised substantially as follows:

In regard to the International control of post-war mine clearance of European waters, now being discussed in London, representation of the United States on an equal footing with other nations has been authorized. Since large numbers of United States minecraft have

¹ Not printed (800.83/990) ; it referred to a proposal for an international central board and zone boards to take charge of mine clearance in European waters, set forth in an *aide-mémoire* of May 8, 1944, from the British Embassy to the Department of State (not printed).

already been made available to Allied European nations under the terms of lend-lease, since the United States now has heavy minesweeping commitments in the Pacific which are becoming increasingly difficult to meet from the remaining minesweepers available, and since these commitments cannot be reduced without weakening the war effort in this area, United States representation in the international control of Post-War Mine Clearance in European waters will not obligate the U.S. Navy to furnish additional minesweeping equipment for such mine clearance or to participate therein with its own equipment.

Sincerely yours,

JAMES FORRESTAL

[On November 22, 1945, at Admiralty House, London, an agreement constituting an International Organization for the Clearance of Mines in European Waters was signed by the following representatives: Engineer Rear Admiral S. Brykin, Soviet Navy; Captain Roland Fremont Pryce, United States Navy; Rear Admiral Antoine Sala, French Navy; Vice Admiral Edward Leigh Stuart King, Royal Navy. The United States, British, and French signatories were authorized to accept the document on behalf of their respective governments. For the text of this document, see *United Nations Security Council, Official Records*, Second Year, Supplement No. 6, Annex to the Official Record of the 107th Meeting, February 18, 1947, Exhibit III. The Department of State copy is filed under 800.83/1-446.]

DISCUSSIONS RELATING TO THE ESTABLISHMENT OF AN INTERNATIONAL REGIME FOR THE ADMINISTRATION OF EUROPEAN INLAND WATERWAYS

840.70/5-545

*Memorandum by the Acting Chairman of the State-War-Navy
Coordinating Committee (Matthews) to the Secretary of State*

WASHINGTON, 5 May, 1945.

The Joint Chiefs of Staff have considered the letter from the Department of State to the Secretaries of War and the Navy, dated 30 April 1945¹ and its enclosed "Agreement Concerning a Provisional Organization for European Inland Transport" and "Draft Agreement Concerning the Establishment of an European Central Inland Transport Organization" together with the "Annex Relating to Traffic on Inland Waterways."²

It is the opinion of the Joint Chiefs of Staff that there is no military objection to the organization as proposed, and in fact, it would be of value by making it possible for the military authorities to divest themselves of the responsibility for transportation at an earlier date than would otherwise be possible.

They consider, however, that in order to make it clear that the term "Allied Commanders in Chief" is meant to include not only commanders designated by a combination of the powers named, but also commanders designated by any one of the powers, paragraph 9 of Article XIV of the draft agreement should be rewritten as follows:

"9. The term 'Allied Commanders in Chief' shall mean any Commander in Chief designated for commands on the Continent of Europe by the appropriate authorities of any of the following: the French Republic, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America."

It must be pointed out, however, that in the carrying out of the operation of the organization the U.S. representative on the European central inland transport organization should be instructed to safeguard the interests of the U.S. military authorities with particular reference to the matters outlined in the letter from the Combined Chiefs of Staff to the Department of State and the Foreign Office, dated 2 September 1944.¹

¹ Not printed.

² None printed.

The Secretaries of War and the Navy concur in the views of the Joint Chiefs of Staff expressed above.

For the State-War-Navy Coordinating Committee:

H. FREEMAN MATTHEWS

740.00119 Control (Germany)/8-445: Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, August 13, 1945—5 p. m.

274. Your 255 Aug 4.³ Question of organization of international waterway regimes was considered at the Potsdam Conference⁴ and it was agreed that these matters would be referred to the Council of Foreign Ministers in London.⁵ Consequently, plans for Interim Navigation Agency and the re-establishment of permanent agency will be considered by that group rather than Control Council.

Dept believes interim waterway agency should be established and that it is premature to consider re-establishment of former river commission and to define its responsibilities and voting control.

While Dept would welcome views and suggestions of the US group CC relating to interim or permanent river commissions no agreements or decisions on these questions should be made by the control authorities which would prejudice the work of the Council of Foreign Ministers. The immediate problems of coordinating traffic on the Rhine could be handled through the Combined Transport Board (your despatch 581 July 7³) and ECITO.

BYRNES

840.811/8-2845

Memorandum of Conversation, by the Assistant Secretary of State (Dunn)

[WASHINGTON,] August 28, 1945.

Mr. Balfour⁶ came in this afternoon and handed to me two memoranda, copies of which are attached.⁷ The first memorandum deals with the subject of discussion on inland waterways, which is to take place at the forthcoming meeting of the Council of Foreign Ministers

³ Not printed.

⁴ See *Foreign Relations*, The Conference of Berlin (The Potsdam Conference) vol. II, index entries under European questions, general: Inland waterways, p. 1612.

⁵ For documentation relating to the Council of Foreign Ministers in London, September 11–October 2, 1945, see pp. 99 ff.

⁶ J. Balfour, British Chargé.

⁷ The first memorandum not printed; for text of the second memorandum, which dealt with the Turkish Straits, see vol. VIII, first section under Turkey.

at London, and makes certain inquiries as to how we expect to deal with this question. He also asked whether the matter of the Black Sea straits would be dealt with within the framework of our proposals on inland waterways or whether it would be dealt with as a separate subject. Mr. Balfour said that his Government had noted that the United States delegation at Potsdam had mentioned specifically the Rhine and the Danube,⁸ but the British felt that the same kind of international commission or regime should be applied not only to those rivers but to the Oder and Elbe as well, and also to the Kiel Canal.

I told Mr. Balfour that the reason for the mention of the Rhine and the Danube at Potsdam was that the United States proposal contemplated an interim commission for those two rivers in which the United States would participate because of our responsibilities during the occupation period. However, it was our idea that in addition to a discussion of an interim commission for those two rivers that we would ask for general agreement as to principles we established with respect to unrestricted navigation generally on the international waterways in Europe with a view to having permanent commissions set up or existing reorganized for the future with respect to the Rhine, the Danube, the Elbe, the Oder, and applying also, if possible, to the Kiel Canal. I further said that the President had always included mention of the Black Sea straits in his discussion at Potsdam of the unrestricted use of inland waterways, but my own personal opinion was that the United States should be prepared to have discussion of the Dardanelles separated from the other waterways if there seemed to be general disposition to do so.

JAMES CLEMENT DUNN

740.00119 Control (Germany)/8-3045 : Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, August 31, 1945—8 p. m.

385. Reurtel 394 August 30.⁹ As stated in Dept's 274 August 13, negotiations for interim agency for Rhine and Danube and the re-establishment of permanent agencies for international waterways will be considered by the Council of Foreign Ministers in London. In order not to prejudice these discussions, no agreement for a provisional organization should be reached by the US, British and French transport divisions of the Control Council and the problem should not be referred under any circumstances to the quadripartite trans-

⁸ See *Conference of Berlin (Potsdam)*, vol. II, pp. 313, 453, 654.

⁹ Not printed.

port directorate or other riparian states. Current problems relating to resumption of traffic movement and navigation may however be worked out informally by the Control Council in cooperation with the Provisional Organization for European Inland Transport.¹⁰

BYRNES

740.00119 Council/9-2645 : Telegram

The Ambassador in the United Kingdom (Winant) to the Acting Secretary of State

LONDON, September 26, 1945—5 p. m.

[Received 5:08 p. m.]

9977. Delsec¹¹ 63, for Acheson, Clayton¹² and Radius from the Secretary.¹³ It is suggested that an Interim German Rhine Control Organization be established at the earliest possible moment by the Control Council or by arrangement among the zonal commanders concerned with the German portion of the Rhine River.

The powers and functions of this organization should include:

1. Joint operations for the clearance of the Rhine River system in German territory.

2. Initiation of the movement of traffic, including entering into any necessary arrangements with representatives of riparian states on technical and operating matters.

3. Exercising river police powers in German territory.

4. Planning and executing necessary engineering projects for maintaining navigation and the flow of water.

This should include building docks, revetments, bridges, dredging, blasting, lighting and buoying, etc.

5. Entering into arrangements with any provisional international Rhine commission which may be set up to regulate navigation on the river as a whole and ECITO (European Central Inland Transportation Organization).

The jurisdiction of the Interim German Rhine Control Organization should extend to the height of land delimiting the Rhine Basin in Germany, including connecting canals and navigable tributaries.¹⁴

Sent Murphy USPolAd, Berlin,¹⁵ repeated to Department.

WINANT

¹⁰ For documentation on this subject, see pp. 1389 ff.

¹¹ Designation for telegrams from the United States delegation to the Council of Foreign Ministers.

¹² William L. Clayton, Assistant Secretary of State for Economic Affairs.

¹³ The Secretary was in London for the meeting of the Council of Foreign Ministers.

¹⁴ On October 9, 1945, Secretary Byrnes sent telegram 174 to Mr. John Erhardt, United States Political Adviser for Austrian Affairs, suggesting that an interim Austrian Danube Control Organization be established with powers and functions similar to ones outlined for the Interim German Rhine Control Organization (840.811/10-945). Telegram 174 was repeated to Berlin as telegram 634.

¹⁵ As telegram 140.

840.811/9-2745

*Memorandum by Mr. Norman J. Padelford, Special Adviser to the Secretary of State, to the Secretary of State*¹⁶

[LONDON,] September 27, 1945.

At an informal meeting held on September 26 in London representatives of the Governments of the United Kingdom, France, Belgium and the Netherlands expressed the desire that the United States participate in an Interim Rhine Commission which it is hoped may be assembled at an early date.

This commission will be a provisional form of the Central Rhine Commission which has existed since 1868. Its functions will be to regulate navigation, and to draw up engineering plans for the improvement of the river.

The commission will be composed of representatives of the United Kingdom, France, the Netherlands, Belgium, Switzerland, and it is hoped, the United States.

It has not yet been decided in what manner Germany, or rather the Allied Commanders-in-Chief in Germany will be represented. The French have urged that the British, French and United States zonal commanders on the Rhine appoint liaison officers to sit with the commission but not vote.

I believe, as do the American and British representatives on the Transport Directorate of the Control Council in Berlin, that this is not an appropriate solution. The Control Council has ultimate authority over all transportation *in Germany*. Therefore it should not only know what is going on in the Rhine Commission but should have a distinct representation and vote in the commission. The representative of the Control Council might be a British, French or American officer, as the Council would determine. He would speak for the Council and for German interests.

It is recommended that the United States be represented on the Interim Rhine Commission in its own capacity. Large quantities of military supplies will have to be transported on the Rhine to our armed forces during the period of occupation. The Rhine will also be used extensively for the transportation of relief supplies sent from the United States. Therefore, the United States will have a direct interest in navigation regulations. Moreover, the United States at the Council of Foreign Ministers has expressed its interest in the establishment of international organizations for all of the main European waterways, as a constructive step toward political stability and the improvement of economic conditions in Europe.¹⁷ It should

¹⁶ Both the Secretary and Mr. Padelford were in London attending the Foreign Ministers Conference.

¹⁷ See memorandum by the U.S. delegation to the Council of Foreign Ministers, CFM (45)1, September 12, p. 132.

support such agencies by its own voice, at least during the transition period.

The United States would have one representative on the Commission. He might be accompanied by such technical experts as the Government may see fit to attach to him. Decisions of the Commission will be taken by a majority vote, with each country having an equal voice in the decisions.

No figure has been fixed for the expenses of the Interim Rhine Commission. Based upon the pre-war expenses of the Commission, the total budget should not exceed \$25,000 a year. Each participating government will bear an equal share of the expenses. Contributions from the United States would therefore probably not exceed \$3,500 a year. In addition, the United States would bear the expenses of its own representatives.

It is anticipated that the Interim Rhine Commission will enter into arrangements with the European Central Inland Transport Organization which has just been established for the coordination of the movement of traffic and the allocation of any shipping captured from the enemy which may be made available for this purpose by the military authorities. The Commission will also be expected to be brought into relationship with the Economic and Social Council of the United Nations in accordance with the terms of the Charter.

The Interim Rhine Commission will remain in existence until the interested governments conclude a convention establishing a permanent regime.

It is recommended that the United States participate on a basis of full equality in this Commission. This will be a definite step in the direction urged by the United States at the Council of Foreign Ministers. The position of the United States with respect to participation in any permanent commission may be reserved for later decision.

840.811/10-1445 : Telegram

The United States Political Adviser for Germany (Murphy) to the Secretary of State

BERLIN, October 14, 1945—6 p. m.
[Received 8:40 p. m.]

782. Reference your 634, October 9, 5 p. m., to Vienna repeated Berlin.¹⁸ It is suggested that no action be taken by US representative Austrian Control Council to propose interim Austrian Danube

¹⁸ See footnote 14, p. 1367.

Control Organization until Rainey²⁰ and Neff²¹ have discussed current German situation with US representatives Austrian Control Council in Vienna this week.

In view of Soviet attitude on International Waterways Commissions expressed at Council of Foreign Ministers and counter proposal submitted by Soviet Delegation at that time, I agree with General Appleton²² that US objectives will not be advanced by further US proposals to the Quadripartite Transport Directorate in regard to control of the Rhine. I understand these objectives to be (a) coordination of action to initiate traffic movement on the Rhine and (b) insofar as possible to develop some form of international cooperation in the control of European waterways.

An informal Rhine Committee for Traffic Control has been established at Duisburg with British, US, French, Dutch, Belgian, and Swiss participation. British and US controlled engineering organizations are located at Bonn and Wiesbaden. These existing organizations can be integrated and coordinated by arrangement among the US British and French Zone Commanders to fulfill the functions of the Interim Control Organization for the Rhine as recommended in your cable of September 26 (London's 140²³). This action would be in accordance with your alternate recommendation to establish such an organization by arrangement among the Zone Commanders having jurisdiction on the German portion of the Rhine rather than by the Quadripartite Transport Directorate of the Control Council. Soviet participation in control of the Rhine would not facilitate movement of traffic on that waterway and, therefore, would not contribute to the immediate objective of initiating traffic.

In meetings of the Quadripartite Transport Directorate, Germany, all proposals have been submitted by the US, French and British representatives, none by the Soviet. In all transport matters the western Allies, therefore, have been in position of supplicants while the USSR has continued in a position to accept or reject these proposals. Under these circumstances we believe that the US position will be weakened by additional US proposals to the Quadripartite Transport Directorate and that nothing substantial will be gained toward achieving international cooperation on other waterways. The movement of captured Danube vessels into the US zone, Germany and additional actions of this kind, which may be determined after discussions be-

²⁰ Froelich G. Rainey, senior economic analyst on the staff of the U.S. Political Adviser for Germany.

²¹ Lt. Col. Daniel R. Neff, Chief of Waterway Division, Transport Directorate, AMG Berlin.

²² Brig. Gen. John Adams Appleton, Director, Transport Division, Office of Military Government for Germany (U.S.), and U.S. Representative to the Transport Directorate, Allied Control Authority.

²³ See footnote 15, p. 1367.

tween German and Austrian Control Council representatives, may create more favorable situation on the Danube. I suggest that the most effective approach to the problem of international waterway control at this time is to maintain the *status quo* on the Rhine and to attempt to develop a situation in which the Soviet Government will find it advantageous to initiate proposals in regard to the Danube.

The opinion of the Department in regard to this matter is urgently requested.

Sent to Department as 782, repeated to Vienna as 16 and as 107 to London.

MURPHY

840.811/10-1445

Memorandum by the Assistant Secretary of State for Economic Affairs (Clayton) to the Secretary of State

[WASHINGTON,] October 17, 1945.

The attached outgoing telegram²⁴ agreeing to US participation in the Central Commission of the Rhine takes the position (paragraph 3) that Germany be represented by the Allied Control Council. The alternative that only the Allied military authorities controlling German riparian territory should be represented on the Commission by liaison officers is rejected. The former position is consistent with the proposal submitted by the US delegation to the Council of Foreign Ministers.

In his telegram 782 October 14 from Berlin, Murphy takes the position that the proposal for establishing an Interim German Rhine Control Organization should be by arrangement among the zone commanders having jurisdiction over the German portion of the Rhine rather than by a quadripartite Transport Directorate or the Control Council. Such an arrangement was the second alternative set forth in the attached cable 9977 of September 26 sent to Murphy from London and repeated to the Department.

The basic issue which needs immediate decision is whether this government should press for Control Council representation on the Rhine or some form of representation or liaison only by the authorities in riparian zones. The arguments in favor of Control Council representation are:

1. The Potsdam Declaration provided for centralized control of transportation in Germany.²⁵
2. The US proposals at the Council of Foreign Ministers for the establishment of emergency regimes for the European waterways put

²⁴ Not attached to file copy of memorandum.

²⁵ *Conference of Berlin (Potsdam)*, vol. II, p. 1503.

forth the principle that the four signatory powers (US, UK, USSR and France) should be represented in international commissions for the Rhine, Elbe, Oder and Danube Rivers and the Kiel Canal together with the riparian states and Germany or Austria as represented by the respective Control Councils.²⁶

3. The abandonment at this time of the position of Control Council representation on the Rhine Commission would prejudice the question of Control Council representation with respect to the Elbe and Oder as far as Germany was concerned and the Danube in so far as Austria is concerned since the Oder is solely in the Soviet Zone, the Elbe in the Soviet and British Zones and the Danube in the US Zone in Germany and the US and Soviet Zones in Austria.

4. The adoption of riparian zone representation would eliminate indirect US participation in the other German waterways and French and British indirect participation in the Austrian section of the Danube and might be interpreted as an abandonment of the principles set forth in the memorandum submitted by the US delegation to the Council of Foreign Ministers.

5. In view of the failure to reach agreement on the broad principles of four-power representation on all rivers, the question is raised whether we should at this time give up the principle of four-power Control Council representation for the enemy states as well, since such a procedure would provide for at least a foothold by the major non-riparian powers in waterways other than the Rhine.

The arguments against Control Council representation are:

1. Soviet action in the Control Council could delay or impede action on the Commission through the exercise of a veto. It has been pointed out, however, that, on matters affecting only the Western Zone, the Soviets have not so used this power to impede action.

2. The French have objected to Control Council representation on the Rhine primarily because of their desire to avoid centralized control of German transportation and the "interference" of the USSR in Rhine affairs. (In discussing this question recently with Berard of the French Embassy, he emphasized this position. However, he had not followed this position through in so far as it would affect the French position on the Danube and promised to secure further views of his government on that question.)

3. Close working relationships between the three Western Zone authorities and the other riparian states might be more readily established without delay since it would be necessary to get French approval of action through the Control Council.

In view of the above considerations, it would appear necessary for the Department to reach a definite decision on the question of Control Council representation not only with respect to the Rhine but also with respect to other occupied territories with a clear understanding of the possible implications of such a decision to the President's proposal at Potsdam and London.

²⁶ See memorandum by the United States delegation, CFM (45) 1, September 12, p. 132.

740.00119 Council/10-2245

Memorandum by Mr. Norman J. Padelford, Special Adviser to the Secretary of State, to the Secretary of State

[WASHINGTON,] October 22, 1945.

REPORT OF US DELEGATION, COUNCIL OF FOREIGN MINISTERS,
CONCERNING EUROPEAN INLAND WATERWAYS

1. *Original Plan—A Declaration of Principles.*

When the United States delegation left for London, the original plan was to propose first of all the adoption of a Declaration of General Principles applicable to European waterways of international concern. (Annex I).²⁷ This was based upon the proposal made by President Truman at the Potsdam Conference.²⁸

The purpose of this Declaration was to commit all interested parties to a common policy regarding the basic treatment of European waterways. Principles embodied in the draft Declaration were based upon treaties and conventions which had been in force among many states prior to 1939. If agreement could be reached upon the Declaration, it was then planned to propose the establishment of a series of interim commissions for each of the major waterways.

2. *Decision to propose emergency arrangement.*

Discussion in the delegation brought out the fact that at the present moment all of the European rivers are blocked to through navigation and that relief supplies have not been reaching needy peoples in Central and Eastern Europe in sufficient quantities to avert famine and suffering. In order to meet this situation, it was agreed that something more effective than a Declaration of Principles was needed. Accordingly, it was decided to press first for agreement upon an emergency regime which would involve the establishment of provisional commissions, leaving until later the presentation of the draft Declaration of General Principles. The plan for an emergency arrangement was laid before the Council of Foreign Ministers at its first meeting by the Secretary of State. (Annex II).²⁹

3. *Information received from United States Representatives on Berlin Control Council.*

The United States delegation was assisted at London by three members of the US Group on the Control Council in Berlin who came to London at the request of the Secretary of State. These officers included General John A. Appleton, Chief, US Group, Transport Directorate; Lt. Col. Daniel Neff, Chief, US Group, Waterways Section,

²⁷ Not printed.

²⁸ See *Conference of Berlin (Potsdam)*, vol. II, pp. 304 and 656.

²⁹ For text of Draft Agreement Establishing Emergency Regime, see p. 132.

Transport Directorate; and Lt. Col. Froelich G. Rainey, Assistant to Ambassador Murphy. These officers provided the delegation with a large amount of factual information concerning present conditions on the European waterways. Abstracts of this information are attached. (Annexes III and IV).³⁰

These officers urged amendment of the emergency agreement presented to the Council by the United States in order to make provision for the representation of Germany on the several commissions through the instrumentality of the Control Council. They pointed out that, under the terms of the Potsdam Agreement, the Control Council was not only given complete authority over all German transportation but was also charged with conserving German economic interests.

4. *Amendment of United States Proposal.*

In view of the observations made by the US representatives on the Control Council and the fear which it was reported some states held concerning the duration of the emergency regime, the delegation decided to submit two amendments to the document originally laid before the Council. These were circulated on September 22. (Annex V).³¹ The amendment to Article Two was designed to give "Germany" representation on the commissions through the Control Council. The second amendment involved the addition of a new article (Article Ten) providing for a conference to draft permanent conventions.

5. *Discussion of Waterways in connection with Bulgarian Treaty.*

The first discussion of waterways arose in the Council in connection with the UK memorandum concerning the Bulgarian Peace Treaty. This proposed the insertion of an article requiring Bulgaria to accept any regime for the Danube agreed upon by the powers.

Mr. Bevin³² (UK) pointed out that a similar provision had been inserted in the treaties of peace at the end of the last war³³ and would be desirable in order to prevent the defeated states from blocking attempts to create an international regime for the Danube. He added that he thought a mistake had been made in 1919 when Russia was excluded from the Danube and that a mistake had been made in 1940 when Britain was excluded from the Danube Commission by the Soviet Union and Germany and he asked for a righting of both errors. Mr. Byrnes (US) supported the proposal.

³⁰ Neither printed.

³¹ Not printed.

³² Ernest Bevin, British Secretary of State for Foreign Affairs.

³³ See *Treaties, Conventions, etc., Between the United States of America and Other Powers, 1910-1923* (Washington, Government Printing Office, 1923), vol. III, Peace Treaty with Germany, Article 349, p. 3493; Peace Treaty with Austria, Article 304, p. 3271; Peace Treaty with Hungary, Article 288, p. 3669; *British and Foreign State Papers*, vol. cxii, Peace Treaty with Bulgaria, Article 232, p. 873.

Mr. Molotov ³⁴ (USSR) stated he was not ready to discuss the Danube regime in connection with the treaty as this involved more than one state.

The Council was unable to reach agreement on this point and proceeded to other matters.

6. *Discussion of United States proposal, September 22, 1945.*

a. Mr. Byrnes' Presentation. The Secretary pointed out the serious problem in getting food, fuel and relief supplies to the nations of continental Europe due to the breakdown of rail transportation and the blockage of the principal waterways. He noted that little improvement could be expected in the rail situation for some time to come. The Rhine, Elbe, Oder, Danube and Kiel Canal have always played an important part in European transportation—before the war carrying as much as 150,000,000 tons of shipping a year. If they could be cleared so that shipping could move freely, material improvement would be made in the transportation situation. The Secretary said that he believed the situation required emergency measures before winter set in. This necessitated international cooperation. It was in this spirit that the United States proposed a provisional commission.

The Secretary added that if such an agreement could be reached, the United States was prepared to consider arrangements for making shipping located in its zone of control available for use and also to move quantities of fertilizers to the agricultural regions in need of this if free navigation could be established.

b. Soviet Reply. Mr. Molotov professed confusion whether the Council was to consider one of the proposals that President Truman presented at Potsdam or the present one noting some differences in the waterways mentioned in these documents. He also said that there might be some discussion of what constituted an international waterway. He noted that only European waterways were to be discussed and that temporary rather than permanent arrangements were being considered.

A counter proposal was presented which he asked the Council to take as the basis of discussion in place of the American draft. (Annex VI).³⁵ This proposal he said was designed to cover only the occupation period and was submitted with a view to facilitating action.

An examination of the Soviet proposal revealed that it would bring about no change in the present situation on the rivers as it would leave each of them subject to the control of the local military command. The sole change which the Soviet proposal would make in the present

³⁴ Vyacheslav Mikhailovich Molotov, People's Commissar for Foreign Affairs of the Soviet Union.

³⁵ For text, see p. 324.

situation would be to place the Kiel Canal under the Berlin Control Council instead of the British military rule. The right to navigate would be limited to the four powers and the riparian states. Other non-riparian states would have no right of navigation. Thus, Belgian vessels might be excluded from the Rhine and Greek vessels which have been active on the Danube from participation in the traffic of that waterway.

Discussion of the Soviet proposal was adjourned pending study.

c. *French Memorandum.* A memorandum commenting on the U.S. proposal was laid before the Council by the French delegation on September 19. (Annex VII).³⁶ This urged that existing river organizations be utilized wherever possible. Special reference was made to the Rhine Commission in which the French wished to have the presidency.

The French memorandum did not figure in the discussions during the Council meetings.

7. *Final discussion of Waterways question, September 24, 1945.*

a. *Soviet Position—Need for Military Control.* Mr. Molotov stressed that, during the occupation period, the needs of the occupying forces must be kept clearly in mind. Lines of communications must be secured and there must be no competing authorities. In as much as the military commanders would know best what was required in their zones, sole control of the rivers should be left in their hands. International commissions could only lead to conflicts of jurisdiction. This was the fault of the United States proposal which made it unacceptable.

The Soviet Foreign Minister insisted that the Soviet stand was no different from that which would be assumed by any nation in the same position as it is and faced with the same responsibilities. The Soviet attitude he believed corresponded with that of all Allied nations concerned with the improvement of navigation and he insisted that his draft be taken as the basis for discussion.

b. *United States Statement Regarding Soviet Proposals.* Mr. Byrnes emphasized that under the Soviet proposal different sets of regulations would prevail on different parts of the same river; that one body of rules would apply at one place and another at another. Navigation might be interrupted, delayed or submitted to various regulations by any military officer acting in the name of the Commander-in-Chief on the excuse that military considerations called for it. Under such circumstances, navigators would never know what requirements they would be required to meet. This would discourage and hamper shipping as had already been the case in some places.

³⁶ *Ante*, p. 261.

The Secretary stated that the United States believed that the fairest manner of dealing with these waterways of international concern was by means of international commissions in which all interested parties might be represented. The United States was sincere in its belief that this would provide the most effective means of improving conditions and it had no selfish interest in connection with these waterways.

The United States had no objection to fixing a time limit for the provisional commissions and it believed that, under the terms of Articles Two and Eight of the draft agreement, adequate provision would be made for military representation on the commissions and close relations with the occupying authorities so that no contest of jurisdiction would occur.

c. Soviet Rejoinder. Mr. Molotov said that the United States proposal did not provide an acceptable basis of discussion. He asserted that no complaints had been received from any of the riparian states about the present situation and that there was no need of changing the present arrangement during the occupation period. He insisted that the American plan would lead to dual authority and that this could not be tolerated.

d. British Conference Suggestion. Mr. Bevin said the British wished to maintain the principle of international collaboration on these waterways. To this end, he inquired whether the Council could agree upon calling a Conference of all interested states to draw up agreements for a series of provisional commissions with the United States draft as a basis for discussion.

Mr. Byrnes was ready to accept this if a report might be made at the next Council meeting and if nothing better could be agreed upon.

Mr. Molotov failed to see how a conference could agree if the Council of Foreign Ministers could not do so. Any conference proceeding upon the American proposal would only come out with a scheme which would have the same flaw—dual authorities on the rivers. The Soviets could not accept that. It was suggested that the whole matter be postponed until all the Ministers agreed there should be a Conference.

e. Final United States Statement. Mr. Byrnes stated that the United States delegation keenly regretted that no action could be taken by the Council when starvation and famine conditions were approaching in many parts of Europe. He emphasized that the waterways of Europe are not entities in themselves nor the concern of the riparian states alone. They are part of a whole vital network and essential to the livelihood of the Continent. Distressed people could not wait for months of leisurely debate among statesmen. They must have food, fuel, clothing, medicine at once.

The Secretary affirmed that some arrangement could be found whereby the military commanders and the commissions could co-operate so that military security would not be undermined while at the same time relief could be brought to the distressed areas.

This completed the discussion of waterways at the Council. It was not referred to the deputies for further consideration.

8. *Further treatment of subject.*

a. *Possibility of agreement on emergency regime.* It is clear that the Soviet Government is not prepared to agree upon international commissions involving non-riparian states for the Danube, Elbe and Oder Rivers during the occupation period. Until the Soviet Government feels secure in Central and Eastern Europe and has related the economy of this region more closely to its own, there appears little likelihood that it will release its present controls in the direction of anything resembling the prewar commissions.

Nothing will be gained by reviewing the American proposal until the overall political situation has been clarified. The problem of co-operation on the rivers must be resolved in harmony with larger issues. Nothing will be gained by recriminations against the Soviet State.

The United States must be careful not to appear desirous of endangering Soviet security in the Eastern Zone or of attempting to force institutions upon them undermining their authority or calling into question their good faith. With some patience and careful manipulation of this question in company with others, a reasonable solution may ultimately be possible.

b. *Establishment of Provisional Agencies for Waterways in the Western Zone.* Although it would be preferable to set up agencies for all of the waterways at the same time in order that the same principles may be applied to each of them, it would seem better to go ahead with arrangements for waterways in the Western Zone rather than leaving them subject to localized military control until agreement can be reached with the Soviet Government for the eastern waterways.

1. *Rhine River.* Conversations have taken place in London and in Berlin looking toward the early creation of a provisional Rhine agency including the riparian states together with Britain and the United States.

The re-creation of the prewar Rhine Commission would appear to be an acceptable solution for the regulation of the Rhine River. In this way, use can be made of existing treaties and accumulated experience. This also affords a way of bringing Switzerland into the arrangement without raising political questions relating to the war.

No particular fears need be entertained regarding the compatibility of the Commission and the military authorities. The Commission

can only recommend rules of navigation and engineering works. Local authorities are responsible for enforcing regulations and for engaging in blasting, dredging and bridge work.

If the Central Rhine Commission is re-established on a provisional basis, it is important the agreement be obtained for equality of representation and voting. Prior to 1939, France had five votes, Germany four, while Belgium, the Netherlands, Britain and Italy had two votes each. The French position with respect to shipping and traffic on the River never warranted this disparity in voting power. It is understood in London that the French are prepared to accept equality of representation and voting if they are allowed to retain presidency of the Commission. This might be accepted, although it would be more democratic if the presidency were to rotate among all parties.

It is imperative that adequate provision be made for representation of the Control Council on the Rhine Commission. Only in this way can correlation be achieved between the military authorities and the civilian commission and assurance be given that commission recommendations will be carried out throughout German territory. Likewise, only in this way can German interests be adequately represented.

The French Government is seeking to prevent the Control Council from being represented on the Commission. It favors a Commission composed of Britain, France, United States, Belgium, the Netherlands and Switzerland plus liaison officers from the local zonal commanders along the river. It desires to see Germany divided into local units, economically and politically, and is fearful of any possibility of bringing Russia into Rhineland affairs. The French plan runs directly counter to the Potsdam Agreement. Section (B) (14)³⁷ stipulates that action shall be taken by the powers in such a way as to preserve Germany as an economic unit. Moreover, the Agreement gives the Control Council supreme authority over transportation in Germany and an overruling voice over the actions of local commanders. The United States policy with respect to the Rhine Commission should be in accord with the Potsdam Agreement. The United States is in a position to insist upon this in as much as it has control of a great deal of tonnage and petroleum which the French would like to obtain.

In view of the facts that the bulk of Rhine traffic always moves in the German stretch of the River, that the German fleet has been the second largest and that the German portion of the River is the longest in point of mileage, it is only fair that German interests should be represented as such in the Rhine Commission and that throughout the occupation period this be through the Control Commission which is the conservator of German interests and the coordinator of local actions.

³⁷ *Conference of Berlin (Potsdam)*, vol. II, p. 1452.

The French Government is also requesting that the seat of the Commission remain at Strasbourg. There is no economic justification for such a location. Concession might be made, in this case, however, if this will assure cooperation on the part of the French.

The center of traffic on the Rhine is located in the Ruhr-Cologne area. Theoretically, the seat of the Commission should be located in this neighborhood.

It would be desirable from the theoretical point of view to extend the jurisdiction of the Rhine Commission over the Scheldt River up to the port of Antwerp. For many years Belgium has been trying to develop this port as a Rhine port. It has had considerable success in this as is evidenced by the fact that Antwerp ranked after Rotterdam and the Ruhr ports in total Rhine traffic. It must be recognized, however, that Belgium would accede to international regulation of the Scheldt only under duress. It is questionable whether at the present moment the end will justify the means that have to be employed.

2. *Kiel Canal.* The Kiel Canal at the present time is being operated by German personnel under British occupation forces. Merchant vessels of all nations are apparently free to use the Canal and so far as can be learned the regular navigation rules are applied.

If other waterways are placed under provisional commissions, it would appear right and proper that the Kiel Canal should be treated in a similar manner. From conversations held in London, it appears that the British are willing to consider this. If the Danube, Elbe and Oder are not placed under commissions, there would appear to be no need of pressing the British for such a concession on the Kiel Canal at the present time. The question can be reserved until permanent arrangements are being discussed unless some other factors make reconsideration desirable.

9. *Permanent regimes.*

Attitude of Western Powers. Informal conversations held in London with representatives of Britain and France indicated that these states will be ready to discuss permanent arrangements for the European waterways at any time. Both governments are particularly anxious to have a part in the Danube regime. They are less concerned with the Elbe and the Oder and would perhaps be ready to waive participation in commissions for those rivers.

These governments are thinking in terms of international agencies for the rivers modeled after the prewar commissions with riparian and non-riparian members. Both fear that if the commissions are restricted to riparian states discriminatory practices may arise against the vessels and nationals of non-riparian states.

Attitude of Soviet Union. At the Council of Foreign Ministers, Mr. Molotov drew a clear distinction between temporary arrangements

for the occupation period and permanent regimes to apply thereafter. In this way he implied that the Soviet Government might have something different in mind than it proposed for the occupation period. He said, "We can talk about the permanent regimes at a later time."

This statement might be taken to mean that the Soviet Government is not wholly averse to an international regime, or to discussion of the arrangements in company with the United States, Britain and France. It is, however, so indefinite no commitment other than that of discussion can be predicated upon it.

Private conversations with a member of the Soviet Delegation at the London Council (Mr. S. A. Golunsky) ³⁸ after the close of the meetings elicited one notable comment. With respect to the prewar regime of the Danube he remarked: "Of course you recognize that those arrangements were made when Russia was a defeated Power. In 1856 we were a defeated state. In 1919 we were not asked to be present when the Danube was being discussed. Now we are a victorious Power. It may be that matters should be arranged somewhat differently now. To us the Danube is very important."

The implication of this remark is that new treaties should be concluded and that the Soviet Union must occupy a different position than it has in the past. It could be understood as inferring that the whole conception of international regulation be altered. In this connection, it may be noted that in the Council meeting Mr. Molotov made no reply to a plea by Mr. Bevin that the mistakes of 1919 (exclusion of Russia from the Danube) and of 1940 (exclusion of Britain and France) should be righted. It is conceivable that the Soviet position is to ignore the Western Powers in establishing a new regime.

10. *Recommendations.*

Declaration of principles. There is a danger that the Soviet Government may conclude conventions with the states bordering on the Elbe, Oder and Danube without consulting the United States, Britain and France, and omitting provision for free navigation by the vessels of all nations and for participation by non-riparian states in new commissions.

It is recommended therefore that some occasion be found at an early date on which the United States may appropriately announce the basic principles which it believes should be applied to the European waterways. These principles are at hand in the Draft Declaration of Principles Applicable to European Waterways of International Concern which were prepared with a view to use at the Council of Foreign Ministers.

The time to set forth these principles is before the Russians take any irrevocable step rather than afterward. In this way, we may

³⁸ Sergey Alexandrovich Golunsky, Expert Consultant, People's Commissariat for Foreign Affairs of the Soviet Union.

stand some chance of gaining acceptance of our views. We would stand virtually none afterward. And a protest after the fact would only add a further measure of irritation between the two governments.

It is worthwhile making an effort to secure adoption of these principles for their acceptance would be helpful in promoting general economic improvement in Europe and equality of opportunity for all. There is a chance the Soviet Government may be willing to accept them as the general political atmosphere improves. If not, nothing has been lost, and one more effort will have been made to avoid the organization of Eastern Europe into an exclusive bloc. If we must retire to acceptance of such an organization in the end we may do so, but it should not be done until every effort has been made in a friendly fashion to avert it.

US Participation in Negotiations. The United States should participate in any negotiations which are held for the establishment of permanent regimes for any or all of the European waterways. Only in this way can our influence and the principles for which we stand be brought to bear to the fullest advantage.

Serious consideration should be given to any invitation to become a member of any of the permanent regimes. Although the United States will not have vessels moving on these waterways, with the exception of the Kiel Canal, its presence would be a token of interest in the economic development of Europe. It might be able to exercise a helpful role as mediator and counselor. Participation would also have the advantage of affording an additional means of gaining information on significant economic and political trends there in the years to come.

A careful watch should be kept on the temper of political relations with a view to raising the question of permanent regimes when the climate may seem propitious. This might be done through the Council of Foreign Ministers, ECITO, or some other channel.

Conference or Special Mission. It is possible that the British Government may raise again the proposal it made at the Council of Foreign Ministers that a special Waterways Conference be called. Such a conference might serve a useful purpose in bringing together all interested parties. It would not stand much chance of success at the present moment until the overall political relations of the Four Powers have been improved on larger issues in Europe. When that has occurred the United States might lend its support to such a proposal.

If no tangible progress has been made on waterways matters within a few months, it is recommended that a special mission be sent to Europe to discuss the problem in detail with experts there with a view to promoting further action.

840.811/10-1445 : Telegram

The Secretary of State to the United States Political Adviser for Germany (Murphy), at Berlin

WASHINGTON, November 1, 1945—8 p. m.

785. Reur 782 Oct 14 repeated to Vienna. Original conception of an interim Rhine Control Organization recommended in London's 140 of Sept 26 ³⁹ was to establish a single agency to act for Germany in control of traffic and enforcement of navigation regulations in German sections of Rhine. Informal Rhine Committee for traffic control at Duisburg appears from your cable to have power to regulate traffic throughout entire Rhine. Dept needs full information regarding terms of reference and activities of this Committee. Functions of this Committee appear closely related to those agreed upon for ECITO. It is desirable that Duisburg Committee and ECITO collaborate in control and coordination of international traffic.

Negotiations are proceeding for early establishment of Central Rhine Commission on provisional basis with US participation and riparian zones in Germany represented by liaison officers. This will be continuation of prewar Commission to maintain principles of free navigation and international cooperation in regulation and development of river.⁴⁰ The functions and work of this Commission are fully described in part (6) Dept's Rhine River memorandum handed Rainey by Padelford.⁴¹ These include:

1. Examining complaints regarding application treaty provisions;
2. Reviewing treaties and navigation regulations with a view to recommending necessary changes;
3. Hearing appeals from national navigation tribunals regarding infractions navigation regulations;
4. Surveying river conditions making recommendations to riparian authorities for correction or improvement;
5. Gathering and publishing information concerning river traffic and problems.

Activities Central Rhine Commission will cover matters other than those relating to traffic control which are within scope of Duisburg Committee and ECITO. These two types of functions are separate, therefore there should be no conflict or overlapping jurisdiction between Central Commission on one hand and ECITO and Duisburg Committee on the other.

Erhardt's unnumbered Oct 26 re Danube situation just received.⁴² Sent to Berlin repeated to London and Vienna.⁴³

BYRNES

³⁹ See footnote 15, p. 1367.

⁴⁰ For details regarding composition and jurisdiction of this Commission, see *Foreign Relations*, The Paris Peace Conference, 1919, vol. XIII, pp. 669-678.

⁴¹ Presumably the memorandum of October 22, p. 1373.

⁴² Not printed.

⁴³ As telegrams 9643 and 231, respectively.

740.00119 Council/12-1445 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)*

WASHINGTON, December 14, 1945—8 p. m.

2527. Secdel ⁴⁴ 7. For the Secretary. Following suggestions for your consideration.

I. *Problems Regarding Danube.* At Potsdam President Truman urged immediate steps to establish provisional international commissions for principal European waterways.⁴⁵ US offered similar proposal at Council of Foreign Ministers meeting in London.⁴⁶

Principal purpose of such provisional commissions would be to facilitate cooperation and clearance of rivers to permit vessels to circulate freely to provide for essential traffic movements and stimulate reconstruction. At present obstacles such as destroyed bridges and sunken barges prevent normal movement of vessels. Different regulations with respect to movement of vessels and crews discourage freedom of circulation of vessels. Questions of restitution and reparations as well as ownership and control of watercraft discourage free movement between areas of different political and military jurisdiction.

To meet urgent transportation needs in Danubian area, it is essential that all watercraft available for use be put into operation to extent permitted by river conditions and that arrangements be made which will insure most efficient use of vessels and crews by permitting boats to circulate freely without danger of seizure or diversion. A provisional Danube Commission should be established to insure such freedom of movement of vessels without prejudice to questions of reparations, restitution, and title which can be worked out at a subsequent time by other authorities. Provisional commission should be composed of representatives of competent Allied authorities in riparian states under Allied occupation or armistice control and Czechoslovakia and Yugoslavia.

Provisional Danube commission could be established along lines similar to present provisional Rhine Commission which has jurisdiction only over regulations and technical works and does not go into matters of allocation of vessels and control of cargoes. Vessels would remain under control of military authorities or under control of states in which they were registered. Objective of Commission would be to assure that when vessels under control of one authority moved

⁴⁴ Designation of telegrams from the Department to the United States delegation to the Conference of Foreign Ministers meeting in Moscow, December 16-26, 1945.

⁴⁵ See *Conference of Berlin (Potsdam)*, vol. II, pp. 304 and 654.

⁴⁶ For text of this proposal of September 12, see Draft Agreement Establishing Emergency Regime for European Inland Waterways, p. 132.

into other areas of river they would be subject to uniform rules and regulations and not be in danger of seizure or diversion. They would remain subject to direction of military authorities or nationals under whose control they originally rested. Such an arrangement should meet objections raised by Soviets to United States proposals in London.⁴⁷

As long range objectives Dept believes following principles should govern use of all European waterways:

1. These waterways should be regulated by treaty in interest of all concerned.

2. Navigation should be free and open on terms of entire equality to nationals, vessels of commerce and goods of all members of United Nations.

3. Regulation of matters affecting waterway must be equitable and designed to promote, not burden, navigation.

4. No tolls should be levied on any naturally navigable waterway.

5. No obstacle to navigation should be placed in channel of an international waterway.

6. Any international disputes relating to regulation or use of waterway of international concern should, if not settled directly between parties concerned, be submitted for settlement in accordance with provisions of United Nations Charter.

7. International administrative agencies should be set up for each of these waterways composed of all states having an interest in their use and development; and

8. In dealing with these waterways, all parties should endeavor to promote world economic and social progress in conformity with Charter of United Nations.

[The remainder of this telegram, dealing with lend-lease material sent to the Soviet Union, is printed in volume V, page 1050.]

ACHESON

840.811/12-2245 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, December 22, 1945—6 p. m.

[Received December 23—4:05 p.m.]

7321. For Radius from Merchant and Russell. Following text of proposed International Rhine Navigation Administration agreed at ECITO meeting in London December 18:

1. Taking advantage of existing machinery on the Rhine and with the purpose of enabling it fully to cope with problems concerning traffic of common concern on that river and on the adjoining waterways, in particular the coordination of traffic and the allocation of trade and inspired by the desire to set an example for efficient cooper-

⁴⁷ See pp. 316, 324, and 345.

ation within the framework of ECITO the Executive Board puts forward the following proposals:

2. The Rhine Interim Working Committees at present working under the direction of the headquarters of the British Army of the Rhine with delegates of the other armies of occupation and of the Belgian, French and The Netherlands Mission taking part in its meetings, shall be recognized and given an official international status with the title of the International Rhine Navigation Administration and its bases broadened so as:

(a) To insure full and equal representation to the Govts and authorities referred to in paragraph 4.

(b) To extend the geographical sphere of authority of the committee so as to make it substantially co-extensive with that traffic of common concern which centers around the Rhine.

(c) To expand its functions so as to enable it to deal more adequately with all essential technical problems concerning that traffic.

3. This International Rhine Navigation Administration, hereinafter outlined and called the Administration, shall deal, as long as present emergency circumstances make it necessary with the coordination of traffic and the allocation of craft as well as with all the other matters affecting navigation of common concern to the Rhine and adjoining waterways, referring for guidance, advice and assistance to ECITO and/or the Central Rhine Commission as may be appropriate.

4. The administration shall consist of a board and a permanent secretariat. The board shall be composed of one representative of each of the Governments of Belgium, France, The Netherlands, and Switzerland; and of the British, US and French authorities in Germany; and shall appoint a chairman with the necessary technical qualifications.

5. ECITO and the Central Rhine Commission shall have one representative each with the board to act as advisers without the right of vote.

6. Decisions shall be taken by majority vote but except upon matters of internal administration shall not be binding on any government or authority represented on the board whose representative gives notice to that effect at the time that the decision is taken. All such cases shall then be referred to ECITO and/or the Central Rhine Commission, as may be appropriate. Each member of the board, including each zone representative, shall have one vote, and the chairman a casting vote only.

7. The chairman and permanent secretariat shall be international in character. The latter shall consist of a secretary appointed by the board and of a staff appointed by the chairman. As far as circum-

stances permit the services of members of the permanent secretariat of the Rhine Interim Working Committee as at present constituted shall be retained, additional technical and administrative personnel being appointed as required from time to time. The records of the Rhine Interim Working Committee shall pass to the administration.

8. The chairman shall convene the board whenever necessary. The board will appoint two permanent subagencies to be known as the International Rhine Traffic Committee and the International Rhine Conservancy Committee to deal with traffic and conservancy problems respectively. The chairmanship of these two bodies will be decided upon by the board.

9. The salary of the chairman and the expenses of the secretariat shall be agreed by the board and covered by equal contributions from the governments and authorities represented in the administration. These funds will be administered by the board.

10. The traffic and conservancy functions of the administration shall include:

(1) Coordination of river conservancy (including bank training, dredging, salvage, marking and buoying of channels), flood prediction service and ice protection;

(2) Coordination of engineering resources, such as plant, equipment, repair facilities, materials and labor;

(3) Development of telecommunications;

(4) Navigation and pilotage regulations;

(5) Registration and survey of craft;

(6) River police;

(7) Coordination of plans for development of river traffic;

(8) Assessment of traffic capacity of waterways within its jurisdiction;

(9) Allocation of traffic and if necessary of craft among operating groups;

(10) Responsibility for ensuring the execution of traffic programs;

(11) Issue of coordinated operating rules;

(12) Establishment of rates, charges and dues, and determination of conditions of carriage, with due regard to other forms of transport;

(13) Determination of requirements and of priorities in repairs to craft and coordination of repair facilities;

(14) Arrangements for procurement of requirements of fuel, lubricants, stores and provisions;

(15) Assistance on currency and other clearing arrangements;

(16) Organization of social and medical services for shipping and shore personnel, establishment of safe conducts, et cetera.

11. The functions remaining the direct responsibility of ECITO shall include:

(1) Restitution of Allied craft;

(2) Temporary allocation of enemy craft without prejudice to ultimate ownership;

(3) Census of craft;

The administration shall be required to give advice and assistance on the execution of these functions.

12. The scope of the administration shall be;

(1) For conservancy the Rhine from the upper limit of the port of Basle (km 1.9) to Goriuchem and to Krimpen, respectively, the navigable parts of the Neckar and of the Main, and the Rhine-Herne and Wesel-Datteln Canals.

(2) For traffic: all traffic on the above waterways and international traffic between any points thereon, on the one hand, and the seaports handling the above traffic, on the other.

Sent Dept 7321; repeated Berlin for Murphy from Rainey⁴⁸ as 270 and London 887. [Merchant and Russell.]

CAFFERY

⁴⁸ Froelich G. Rainey, Senior Economic Analyst, Office of the Political Adviser for Germany, on the staff of the U.S. Representative to the International Commission of the Rhine.

EUROPEAN INLAND TRANSPORT CONFERENCE, OCTOBER 10, 1944–SEPTEMBER 27, 1945; FORMATION OF THE EUROPEAN INLAND TRANSPORT ORGANIZATION ¹

840.70/1–2045

Memorandum by Messrs. John N. Plakias and Walter A. Radius of the Office of Transportation and Communications to the Assistant Secretary of State for Economic Affairs (Clayton)

[WASHINGTON,] December 28, 1944.

In response to the joint invitations of the U.S. and U.K. Governments,² representatives of twelve countries convened in London on October 10, 1944 to discuss the establishment of a European Inland Transport Organization (EITO). The participating countries are Belgium, Czechoslovakia, France, Greece, Luxembourg, the Netherlands, Norway, Poland, the United Kingdom, the United States, the Union of Soviet Socialist Republics and Yugoslavia. The Danish Minister in London,³ SHAEF,⁴ SACMED⁵ and UNRRA⁶ are represented by observers.

Background

The document which is serving as a basis for discussion at the conference is an Anglo-American draft agreement, drafted in London in the summer of 1944 at bipartite discussions between representatives of the U.S. and U.K. Governments.⁷ The Soviet Government was represented by an observer. The draft agreement is based on, and incorporates to a large extent, the proposals emanating from the work done during the preceding two years by the Technical Advisory Committee on Inland Transport (TACIT) of the Allied Requirements Bureau. The Governments participating in the present conference, with the exception of the USSR, are represented on TACIT.

¹ Continued from *Foreign Relations*, 1944, vol. II, pp. 743–931. The Conference was not in continuous session during this period. After several meetings in October and November, 1944, no meetings of the Conference were held until August 24, 1945, although certain delegations, including the United States delegation, continued meetings during the interim.

² Invitations sent by the United Kingdom on September 11 and 12, 1944.

³ Eduard Reventlow.

⁴ Supreme Headquarters, Allied Expeditionary Force.

⁵ Supreme Allied Commander, Mediterranean Theatre.

⁶ United Nations Relief and Rehabilitation Administration. For documentation on the participation of the United States in the work of the United Nations Relief and Rehabilitation Administration, see pp. 958 ff.

⁷ *Foreign Relations*, 1944, vol. II, p. 792.

The Military Interest

The military are keenly interested in the establishment of a European Inland Transport Organization to assume the following functions:

- (1) To give technical advice relating to European transportation problems and equipment requirements;
- (2) To coordinate transportation in areas which the military would wish to turn over to civil authorities;
- (3) To assume responsibility for the allocation and distribution for use of surplus equipment made available by the military;
- (4) To aid in the restitution of allied equipment; and
- (5) To assist in the rehabilitation of allied transport systems.

The War Department was represented at the bipartite discussions of last summer by Major General Frank Ross, Chief of Transportation of the United States Army in the European Theater of Operations. General Ross and Ambassador Winant are the two chief American delegates to the present conference.

Interim Commission

At the bipartite discussions of last summer the representatives of the U.S. and U.K. recommended to their Governments that, since the establishment of the permanent EITO might be subject to delays (which is precisely what has happened), there be established a tripartite Interim Commission composed of representatives of the U.S., U.K. and U.S.S.R. to assist the military and do certain important preparatory work for the permanent organization. The Interim Commission was to cease functioning when EITO came into being.

While the U.S. and U.K. Governments were prepared to establish and participate in the interim organization early in the fall, no response was received from the Soviet Government. As a result, the establishment of the Interim Commission was deferred. With the convocation of the conference the British believed that the permanent organization might be established shortly and no longer favored the Interim Commission. It subsequently developed that the Continental Powers opposed an interim organization which excluded them.

The British position on an interim organization has changed periodically. First they urged it. Then they strongly opposed it. Now they are again advocating the establishment of some interim body.

The position of the U.S. Government has been consistent. The U.S. favored the establishment of the Interim Commission at an early date and prior to the convocation of the conference. However, since it was not established prior to the conference and the opposition of the Continentals became known, we have not considered an interim organization essential unless the military desire it or unless the establishment of the Organization appeared long delayed.

Preliminary Tripartite Discussions

Before the conference, as well as during the early stages of the conference, the U.S., U.K. and U.S.S.R. delegations held a series of informal tripartite discussions in order to receive the Soviet views, attempt to reconcile differences and develop acceptable compromise provisions. It soon developed that the Soviets opposed an organization with centralized authority and strongly advocated that its functions be limited to recommendations and coordination.

The Conference

One of the main difficulties in drawing up an acceptable agreement was to find middle ground between the Soviet position for an organization without authority and the views of the U.S. and U.K. Governments, supported by the Continentals, who desired an organization with considerable administrative authority. The Department has taken the position that while it would prefer an organization with authority, the Continentals are the main parties at interest and that so long as the U.S. interests, particularly the military, are adequately provided for, the U.S. Government would be prepared to go along with an organization acceptable to the Continentals and Soviets.

The principal reasons for this position included the following: first, the U.S. has only a secondary and temporary interest in a regional organization of this character; and second, the success of an international agreement is dependent upon the spirit with which it is accepted by its members. Accordingly an organization with authority might be less effective if the participants accepted it reluctantly, whereas an agreement with milder provisions might be more effective if the participants supported it wholeheartedly.

Poland

Although there was some apprehension in the Department over the attitude of the Soviets toward participation in a conference with the Polish Government in exile, this problem was not raised until after the conference had been meeting for over two weeks. On October 28 the U.S. and U.K. Governments received similar notes from the Soviet Government requesting the unseating of the representatives of the Polish *Émigré* Government and the substitution of the representatives of the Lublin Committee.⁸ The Soviets threatened to withdraw from the conference unless this action was taken.

The U.S. and U.K. Governments rejected the Soviet request and pointed out that they thought it inappropriate to inject far reaching political factors into a technical discussion.⁹ The hope was expressed

⁸ For note to the U.S. Government, see *Foreign Relations*, 1944, vol. II, p. 840. For continuation of the controversy regarding the establishment of a government in Poland, see *ibid.*, 1945, vol. V, pp. 110 ff.

⁹ For U.S. note dated November 22, 1944, see *ibid.*, 1944, vol. II, p. 879.

that the Soviets would continue to participate in the technical discussions. The Soviets have not answered the U.K. and U.S. replies, but neither has the Soviet delegation left London. No formal meetings of the conference have been called since this move by the Soviets. All subsequent discussions have been conducted through informal meetings, but without Soviet participation.

The Ronald Formula

Various methods have been considered in order to avoid the Polish political issue and still reach an acceptable agreement. One of the devices considered was a proposal made by Mr. Ronald of the British Foreign Office which has come to be known as the "Ronald Formula". This formula provided that the agreement would only be signed by governments after their territory had been liberated. This would have permitted the Soviets but not the Poles to sign at this time. The Ronald Formula was not discussed with the Soviets. When it was presented informally to the other Continentals they strongly opposed it.

The British have suggested other proposals as gestures to induce the Soviets to participate in this technical organization and circumvent the Polish issue. The Department has taken the position that while Soviet participation is most desirable, an agreement should not be held in abeyance pending Soviet participation if the agreement meets the technical points raised by the Soviets and which might be acceptable to them at a later date. The Department has felt that formulas or gestures would not induce Soviet participation in a technical organization if for political reasons they wish to abstain.

Present Status of Conference

After October 28, in order to proceed with the important work of the conference, it was decided to continue discussions through informal meetings and to redraft the agreement, incorporating insofar as possible the views of the Soviets. The conference has not met in formal session since October 27; however, informal meetings have been held with the Continental delegations and the Soviets have been kept advised. It is proposed that on completion of an agreement acceptable to the Continentals which incorporated the Soviet views, it would be presented to the Soviets. If at that time the Soviets would be prepared to accept the agreement they could come in, otherwise the door would be left open for them to participate at such time as they saw fit.

At the informal meetings in which all the Continentals except the Soviets are participating, considerable progress has been made in reaching an acceptable draft agreement. Certain points on the procedure for establishing EITO and the method of signature remain unsettled and there may be some difficulty over the provisions affect-

ing the inland waterways. The Department has suggested that the conclusion of the main agreement should not be delayed because of divergent points of view on the details of inland waterway transport question. This problem could be dealt with by the countries concerned, after the main agreement was signed.

JOHN N. PLAKIAS
WALTER A. RADIUS

840.70/2-145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 1, 1945—8 p. m.

[Received 8:12 p. m.]

1130. Department will know from British Embassy of United Kingdom proposal dated January 27¹⁰ advocating the establishment of an interim transport organization including United States, United Kingdom, France, Belgium and Holland to function until solution of the Polish question makes it possible to establish EITO. Ronald states that the Ministerial Committee which adopted the proposal was strongly opposed to signing anything with the London Poles.

With reference to British proposal we submit for the Department's consideration the following summary of the situation and our conclusions:

I. We believe EITO draft agreement in its present revised form except for further minor amendments is technically satisfactory to all EITO conference participants including Soviet Government although latter has not formally replied to this effect.

II. However the three following questions must be resolved before signature of all participants is possible:

1. It is now clear that the establishment of EITO is out of the question until the Polish question is resolved as United Kingdom will sign nothing with London Poles and French have indicated they will not sign the EITO agreement without the USSR; meanwhile the Czechoslovak Government have recognized the "Polish Provisional Government."¹¹

2. Decision by the EAC¹² of the question of a French occupation zone would have to precede French signature of EITO agreement since latter depends on mention of French Republic in Article XIV Paragraph 9 as one of the countries designating or recognizing Commanders in Chief (reEmbs 1039, January 30¹³).

¹⁰ See telegram 427, February 3, 1 p. m., to Paris, p. 1395.

¹¹ January 31, 1945.

¹² European Advisory Commission; for documentation on the participation of the United States in the work of EAC, see vol. III, pp. 1 ff.

¹³ Not printed.

3. The opposing Dutch and French views on the inland waterway annex constitute a third obstacle since the French dislike the annex whereas the Dutch have stated their signature of main EITO agreement depends on signature of annex by principal European inland waterway countries. Although British and Belgians would sign it they as well as the French have indicated view that failure to solve inland waterway question should not hold up main EITO agreement but we do not know measure of French success in persuading Dutch in their conversations (reEmbs 1039, January 30).

III. Both British and French Governments favor setting up some provisional machinery prior to solution of Polish question. ReEmbs 646 of January 17,¹⁴ we do not yet know to what extent French dislike of Western European arrangement and preference for a protocol setting up EITO provisionally including London Poles and the other Eastern European participants in the EITO conference represents final view of French Provisional Government particularly in view of inclusion in British proposal of invitation to USSR to associate itself with the provisional organization and suggestion of some additional arrangement for associating Czech and other governments in some consultative capacity.

IV. On the basis of the above summary we suggest the following conclusion:

Since (a) EITO agreement as such will not be signed unless or until Polish question is resolved, and (b) French suggestion for protocol setting up EITO provisionally including the London Poles would apparently be unacceptable to United Kingdom and presumably to the Czechoslovak Government only two alternatives remain: (1) to wait until the solution of the Polish question makes possible the establishment of EITO; (2) to set up a provisional organization along the lines suggested by the British.

We recommend the second alternative believing that the known urgency of the transport situation in France, Holland and Belgium and the need for a responsible organization with authority to deal with the supply and military agencies outweighs other more indefinite considerations, for example: (1) the estimated length of time until the Polish question is likely to be settled (2) the estimated effect of either course of action on future Soviet participation in EITO (3) the estimated effect of either course of action on the future of EITO in its relation to the other eastern countries.

Could you give us an immediate answer on this problem or let us know if delay is unavoidable.

WINANT

¹⁴ Not printed.

840.70/2-345 : Telegram

*The Acting Secretary of State to the Ambassador in France
(Caffery)*¹⁵

WASHINGTON, February 3, 1945—1 p. m.

427. I. British Embassy on January 31 handed Department an *aide-mémoire* referring to European Inland Transport Conference stating HMG is of opinion that Soviet Government is unlikely to give any formal statement of its position with respect to revised draft of the agreement nor to offer to sign it until settlement of the Polish issue. In view of urgent need for creating appropriate machinery to deal better with problems of European inland transport, HMG favors strongly prompt setting up of some organization, however provisional, limited to area of joint Anglo-American military responsibility, but with an invitation to the Soviet Government to associate itself in whatever way it deems appropriate until it is ready to become a formal member of full organization. It therefore proposes that:

A. Draft agreement be put in final form by further informal meetings with Continental Allies and the results communicated to Soviet delegation in London.

B. Thereupon the U.S., U.K., French, Belgian and Netherlands Governments enter into an informal understanding to apply as between themselves such parts of draft agreement as are physically applicable in the areas under their jurisdiction, inviting Soviet Government to participate in such manner as it deems appropriate.

C. A temporary bureau be formed in London, composed of representatives of the five governments mentioned above and a Soviet observer or liaison officer if possible, to supervise application of agreement and also to assume duty of maintaining informal contact with the European Allies which are not participating in provisional arrangement to make sure that nothing is done which might affect their interests adversely.

The *aide-mémoire* concludes by stating that, in view of HMG, only some such procedure as that proposed above can get around the problem presented by the issue which has been raised as to Polish Government in London; and that, in view of HMG, any procedure which involved the participation of the London Poles would jeopardize the hope of ultimate Soviet participation in the full organization.

II. British Embassy has orally informed Department¹⁶ that a similar *aide-mémoire* was concurrently being handed to the Provi-

¹⁵ Repeated to London as telegram 831 for the EITO delegation; to Moscow as telegram 218 with the following additional sentence: "Any comments from Embassy would be appreciated."

¹⁶ Meeting on January 31, 1945, in the Office of Transport and Communications Policy.

sional French Government in Paris, and that HMG wished to secure the views of the two Governments on following points:

A. Whether proposed procedure would prejudice the position with respect to recognition of the legitimate government of Poland, and

B. Whether it would prejudice the plans for setting up a European Inland Transport Organization of scope originally contemplated, with Soviet participation.

III. For information of Embassy, a meeting was held in London on January 17 of U.K. and U.S. EITO delegations, with Commandant Mathé, an attaché of the French Embassy specializing in transportation matters, who had just returned from consultations in Paris. Mathé stated that the French under no circumstances would sign EITO agreement without Soviets but that they were prepared to enter into an interim arrangement setting up EITO on a provisional basis without Soviets but with participation of all other governments represented at EITO conference, including London Poles. Mathé indicated that French would not, however, be prepared to enter into an interim arrangement confined to area of joint Anglo-American military responsibility.

IV. Department is not prepared at this time to express a definitive opinion on either of the questions referred to in II above.

Department has misgivings as to usefulness at this time of procedure suggested by British, and is inclined to the view that it would be preferable to await the termination of the meetings between the President, Mr. Churchill and Marshal Stalin¹⁷ before making any new move in EITO matter, except to renew informal discussions in order to get revised agreement in final form as promptly as possible.

V. For your confidential information: Nevertheless, if the Provisional Government of France should have changed its position indicated in III above and should now concur in the views of HMG, the U.S. Government would not wish to stand in way of consummation of arrangement proposed. You are, therefore, requested to ascertain as soon as possible French views on British proposal. Repeat your reply to Amembassies London and Moscow.

GREW

840.70/2-1145 : Telegram

*The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)*¹⁸

WASHINGTON, February 3, 1945—1 p. m.

830. For EITO Delegation. ReEinbs 1130 of February 1.

I. As indicated by Department's no. 427 of Feb. 3, 1945 to Paris, repeated to London as no. 831 of Feb. 3, 1945, Department would be

¹⁷ The Yalta Conference, February 4-11, 1945.

¹⁸ Repeated to Paris as 426, and to Moscow as 217.

prepared to participate in proposed arrangement as set forth in British *Aide-Mémoire*, provided French favor it. If, however, French have not changed their views as stated by Mathé on January 17, Department would wish to consider the situation thus presented before determining its position.

II. Department is not prepared to commit itself to British proposal as modified by inclusion of SACMED¹⁹ area (reEmbs 1151 of February 2²⁰) even if favored by French, until it is informed precisely as to what countries British include in SACMED area, and how British think that such countries could be integrated into an interim organization. Please advise. Department assumes recommendations in Embassy's 1130 are not modified by change in British proposal.

III. Every effort should, of course, be made to get EITO document in final form as soon as possible, by means of informal meetings with Continental Allies.

IV. Department will appreciate any information obtainable on Franco-Dutch discussion of waterways annex.

V. Please repeat Embassy's 1151 of February 2 to Paris and Moscow.

GREW

840.70/2-1345 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 13, 1945—6 p. m.

1103. In view of Crimean declaration,²¹ Department has informed British Embassy that it will be necessary to delay reply to *Aide-Mémoire* proposing interim European inland transport organization until it is possible to confer with those who attended conference. At Department's request, British Embassy is inquiring of Foreign Office whether its views as to procedure are now modified.

For your confidential information, subject to conferring with Department personnel who attended conference, it is Department's tentative view that EITO conference might be immediately reconvened without either the London or the Lublin Poles but with understanding that new Polish Government, when constituted, would be invited to accede to EITO. This procedure of course would require prior clear-

¹⁹ Supreme Allied Command, Mediterranean Theater.

²⁰ Not printed; it stated that British Foreign Office favored the SACMED and the Supreme Headquarters Allied Expeditionary Force areas being included in proposed interim European organization (840.70/2-245).

²¹ See communiqué issued on February 12, 1945, at the end of the Yalta Conference, *Foreign Relations*, The Conferences at Malta and Yalta, p. 968, particularly the section on Poland, p. 973.

ance with Soviets. Any comments or suggestions would be appreciated.

Sent to London, repeated to Paris and Moscow.²²

GREW

840.70/2-1345 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 23, 1945—1 p. m.

1382. Department is handing British Embassy an *Aide-Mémoire*²³ setting forth the proposal described in last paragraph of Department's no. 1103 of February 13, but suggesting that the Provisional Government of France concert with the U.S. and U.K. in presenting it to Moscow.

GREW

840.70/3-1045 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, March 10, 1945—8 p. m.

[Received 8:20 p. m.]

705. ReEmbs 616, March 3, 5 p. m.²⁴ The British and French Ambassadors and I have proposed to the Soviet Government, in letters dated March 9, that the EITO Conference be reconvened immediately without Polish participation.²⁵

Repeated to London as 109 and Paris as 35.

HARRIMAN

840.70/3-2245 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 22, 1945—3 p. m.

2205. For EITO Delegation. In view of Soviet insistence on Polish participation in any revived EITO Conference without waiting for

²² As telegrams 569 and 316, respectively.

²³ Dated February 22, 1945 (not printed), in reply to British *aide-mémoire* of January 31, 1945, not printed but outlined in telegram 427, February 3, 1 p. m., to Paris, p. 1395. An *aide-mémoire* of March 3, 1945, was received from the British Embassy which expressed agreement with the proposals contained in the Department's *aide-mémoire* under reference (840.70/3-345). British agreement to reconvene the EITO Conference without the Poles was also reported by the London Embassy in telegram 2157, March 2, 1945, 7 p. m. (840.70/3-245).

²⁴ Not printed.

²⁵ In a letter to Ambassador Harriman dated March 19, 1945, Mr. Andrey Yanuaryevich Vyshinsky, Soviet First Assistant People's Commissar for Foreign Affairs, stated that the Soviet Government was of the opinion that the Provisional Government of Poland should participate (840.70/3-1945).

tripartite agreement on a provisional government for Poland, and unwillingness of Department to permit any Polish participation until such agreement has been reached, Department would consider sympathetically any proposal acceptable to the British, French and the other Continental Allies for securing prompt action. Such a proposal might be the revival of the British scheme for an interim arrangement for western Europe, or a revival of the EITO Conference without the Poles and without the Soviets if they did not care to participate, for the purpose of working out such arrangements as might appear appropriate to the conferees. You are requested informally to communicate to the Foreign Office this view of the Department.²⁶

Department is wiring Paris to the same effect.²⁷

GREW

840.70/3-2745 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, March 27, 1945—4 p. m.
[Received March 28—11:53 a. m.]

1456. The subject of EITO and Department's 1119, March 22²⁸ were discussed informally today with Charguereaud of Foreign Office. Lebel²⁹ is ill and was unable to be present. The result of the interview may be summarized as follows:

Charguereaud has not seen the text of the reply to the joint US-UK-French *démarche* in Moscow (reference Embassy's 1147, March 10 and Embassy's 1382, March 23³⁰) but he had been informed of its substance (reference Department's 1165, March 24³¹). He had lately returned from London where he had received the impression—largely from press reports—that the tactics of the Russians were directed at hastening the formation of the new provisional Polish representation at the San Francisco Conference.³² Under the circumstances, Charguereaud was inclined to defer temporarily consideration of the interim arrangement proposed by the British (reference Department's 892, March 6³¹) in the hope that these tactics might succeed and that a solution of the problem was not far off. He observed however that since the French did not participate in the Yalta Conference, they were in no position to form an opinion as to the prospects.

²⁶ In telegram 3152, March 27, 1945, 6 p. m., from London, the Embassy reported that it was discussing with the Foreign Office the practicability of various alternative proposals for proceeding with EITO (840.70/3-2745).

²⁷ Telegram 1119, March 22, 1 p. m.; Moscow informed of this action in telegram 668, March 22, 1 p. m.

²⁸ See footnote 27, above.

²⁹ Claude Lebel of the French Foreign Office.

³⁰ Neither printed.

³¹ Not printed.

³² United Nations Conference on International Organization, April 25–June 26, 1945. For documentation, see vol. I, pp. 1 ff.

The French Government has already indicated its willingness to participate in the interim arrangement should this be considered necessary with the qualifications noted in Embassy's 642, February 11,³³ namely, (a) that the arrangement be informal, (b) that they could withdraw on 30 days notice. Charguereaud added that he would expect Soviet participation in this arrangement at least in the capacity of observer. The French could not however agree to participate in a revival of the EITO Conference without Soviet participation for the reasons given in numbered paragraph 2 of Embassy's 642, February 11.

Sent to the Department, repeated to London as No. 187 and to Moscow as 37 of March 27.

CAFFERY

840.70/3-3045 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, March 30, 1945—1 p. m.

2454. For EITO Delegation. British Embassy has proposed revival of interim arrangement for European inland transport advanced last January,³⁴ with following modifications:

1. Draft Agreement should be put in final form by U.S., U.K., French, Netherlands, Belgian and Luxembourg Delegations and an understanding should be reached to apply it, without prejudice to subsequent amendments if and when other governments participate, on informal and experimental basis in areas where they have responsibility.

2. Temporary Executive Board would be set up composed of representatives of U.S., U.K., France and Belgium, and Hondelink would be appointed Chief Officer, but not a member of the Board.

3. U.S., U.K. and French Ambassadors in Moscow would then inform Soviet Government they could not agree to representation by the Lublin Poles at the EITO Conference and that, if Soviet Government was unwilling to eliminate all Polish representation pending settlement of the Polish Government question, the three governments would be obliged to put into effect the interim arrangement as above indicated. Soviet Government would be invited to participate in whatever way they considered appropriate, but the setting up of the interim organization would not be in any way delayed by their failure to do so.

4. Interim arrangement would be considered as extending to the SACMED area but, in view of possible complications with Soviets

³³ Not printed; it reported that the French were vitally interested in the recovery of their displaced transport equipment, much of which was in the areas occupied by the Russians and that they were afraid this question would not receive uniform treatment in the various zones of occupation should the Soviet Union not participate in revival of the Conference (840.70/2-1145).

³⁴ See telegram 427, February 3, 1 p. m., to Paris, p. 1395.

arising from Yugoslav participation, none of the national governments in that area would be invited to participate. Insofar as possible the Agreement would be made operative in the area by means of EITO representation at Allied Force Headquarters and closest possible working arrangements with UNRRA.

Department has expressed its approval³⁵ of this proposal and you are therefore authorized to take all steps appropriate to bring it into effect as soon as possible.

Repeated to Paris and Moscow.³⁶

STETTINIUS

840.70/4-1145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, April 11, 1945—7 p. m.

[Received 7:45 p. m.]

3689. ReDept's 2454, March 30. Immediately following telegram³⁷ contains text of draft agreement for proposed provisional European Transport Organization.

At the meeting of United States, United Kingdom and French EITO delegations held on April 11, it was agreed that Secretariat of Conference in the names of the three delegations should address an invitation to the Belgian, Netherlands, Norwegian and Luxembourg delegations to attend a meeting on Tuesday, April 17 to discuss proposed provisional agreement. Department's comments on the text³⁸ would, therefore, be appreciated as soon as possible as it is hoped to circulate in advance of the meeting a text agreed by the United States, United Kingdom and French delegations.

Department will notice the inclusion of the Norwegian Delegation in the invitation. This seemed desirable as Norway is part of the SHAEF area.

It was agreed to draft a joint communication to the Soviet Government for presentation by the representatives of the United States, United Kingdom and France in Moscow when agreement on the provisional organization has been reached by the governments concerned in the matter, informing Soviet Government of the steps taken. Text will be forwarded to Department for approval.³⁹

³⁵ Letter from Mr. Walter Radius of the Office of Transportation and Communications to the Second Secretary of the British Embassy (Maclean), March 30, 1945, not printed.

³⁶ As telegrams 1246 and 740, respectively.

³⁷ Not printed.

³⁸ Except for two very minor amendments, the Department in its telegram 2899, April 13, 1945, to London, gave approval to the draft agreement (840.70/4-1145).

³⁹ See telegram 4542, May 5, noon, from London, *infra*.

French were informally assured of support of Levy for chairmanship by United States and United Kingdom members in provisional executive. (ReDept's 2788, April 10.)⁴⁰

French were informed of United States and United Kingdom approval of inclusion of France in article XIV, paragraph 9 of EIT/26. (ReDept's 2698, April 6.)⁴⁰

WINANT

840.70/5-545 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 5, 1945—noon.

[Received 1:18 p. m.]

4542. I. We have discussed with British and French the question of informing (1) the Soviet Government (2) the delegations participating in the ECITO ⁴¹ Conference and (3) the press concerning signing of provisional agreement and have agreed to recommend following procedure:

1. Communication to Soviets. Immediately upon signature, United States, British and French Embassies in Moscow would be instructed to make a concerted approach to the Soviet Government in accordance with the draft telegram below. In London immediately after signature the chairman of the Conference would call a meeting of the United States, United Kingdom, French and Soviet delegations at which the Soviet delegation would be informed of the step taken.

2. Communication to delegations participating in Conference. On May 10, the provisional agreement with annexed draft ECITO agreement would be circulated as a Conference document with a covering note the proposed text of which is in immediately following telegram.⁴⁰

3. Press release. See Embassy's 4544 of May 5 ⁴⁰ for text which it is proposed to release on May 11,⁴² thus allowing time for Soviet Government and other delegations to have received the information in advance of publication.

4. Publication of text of agreement. In making public the information that a provisional agreement had been signed it seemed to the three delegations that it would be necessary in order to avert suspicions of the nature of the agreement to publish as soon as possible the text of the provisional agreement with the annexed draft agree-

⁴⁰ Not printed.

⁴¹ European Central Inland Transport Organization.

⁴² See Department of State *Bulletin*, May 13, 1945, p. 910.

ment and inland waterway protocol. British Government is prepared to publish text as a white paper.

Does Department approve the procedure outlined above and the texts of the proposed communications?

II. Following is text of telegram which it is proposed be sent to the United States, United Kingdom, and French Embassies in Moscow immediately upon signature of provisional agreement:

1. My immediately following telegram contains text of an agreement concerning a provisional organization for European inland transport which was signed here today (May 8) by the representatives of the Governments of the United Kingdom, United States, Belgium, Luxembourg, Netherlands and Norway and of the French Provisional Government. You will observe that the signatory governments have agreed to bring the draft agreement concerning the establishment of an European central inland transport organization provisionally into force between them in respect of the territories in continental Europe under their authority.

2. I shall therefore be glad if in concert with your British and French colleagues you will inform the Soviet Governments that the United States, United Kingdom, and French Provisional Governments are unable to agree that a delegation appointed by the Lublin Government could properly represent Poland at the ECITO Conference and that since Soviet Government were unwilling to dispense with all Polish representation until the matter could be settled the three governments and the other signatory governments have been reluctantly obliged to proceed having regard to military developments in Europe (or having regard to the cessation of hostilities in Europe as the case may be) with the limited plan of establishing a provisional organization. You should invite the Soviet Government to associate themselves with the provisional organization in whatever way they consider most appropriate. In so doing you should make the following points:

(a) We do not regard European inland transport conference as having been dissolved;

(b) We very much hope that Soviet Government will cooperate, as soon as circumstances allow, in the completion of the draft agreement.

3. In any case we believe that all the signatory governments would welcome arrangements for keeping the Soviet Government informed of the work of the provisional organization, e.g. by having a Soviet representative present as observer at meetings of the provisional council and for maintaining liaison with provisional executive.

4. Statement regarding signature of the provisional organization agreement will be issued to the press for publication on morning of May 11. Soviet delegation to ECITO Conference are being informed today.

WINANT

840.70/5-545 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 7, 1945—1 p. m.

3566. ReEmbs 4542, May 5.

I. Department approves procedure outlined in Section I, paragraphs 1, 2, 3 and 4 (see Dept's 3556, May 5⁴³). Please transmit to Department by air pouch certified copy of signed agreement. When is text to be released as white paper?

II. Proposed communication to Embassies in Moscow satisfactory, and will be transmitted by Department as soon as word received that agreement signed.⁴⁴

GREW

840.70/5-745 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 7, 1945.

3592. This supersedes previous instructions.⁴⁵ You are hereby authorized to sign agreement without amendment to Article XIV, paragraph 9. You are, however, to make it clear to other signatories that this Government interprets the term "Allied Commanders in Chief" to include not only commanders designated by a combination of the powers named but also commanders designated by any one of the powers. You may make this position a matter of record by inserting the amended Article in the minutes of the Council meeting.

GREW

[The agreement for the Provisional European Inland Transport Organization was signed at London on May 8, 1945. For text, see Department of State Executive Agreement Series No. 458, or 59 Stat. (pt. 2) 1359. For a press statement released on May 11, 1945, see Department of State *Bulletin*, May 13, 1945, page 910.]

⁴³ Not printed.

⁴⁴ Communication outlined in telegram 4542, May 5, from London, *supra*, was transmitted in telegram 1040, May 9, 1945, 5 p. m., to Moscow; note transmitted to Soviet Foreign Office on May 11, 1945.

⁴⁵ Telegram 3563, May 7, 1945, 11 a. m., to London, had authorized signature of the Agreement subject to an amendment to article XIV, paragraph 9 (840.70/4-3045).

840.70/6-645 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, June 6, 1945—2 p. m.

[Received 3:25 p. m.]

1923. ReDeptel 1040, May 9, midnight.⁴⁶ Reply to Brit note dated May 11 similar in content to our note of same date informing Soviet Govt of decision to proceed with establishment of Provisional Organization for European Inland Transport and expressing desire of signatory govts to keep Soviet Govt informed of work of provisional organization. Vyshinski in note dated May 30 expressed on behalf of Soviet Govt regret that European Inland Transport Conference did not yield positive results and lead to general agreement on creation of European Central Transport Organization. Soviet Govt made their participation in such organization conditional on invitation to Provisional Polish Govt to participate which was refused. Soviet Govt is therefore obliged to state that it sees no possibility of participating in European Inland Transport Organization.

Sent to Dept as 1926 [1923]; repeated to London as 249.

HARRIMAN

840.70/7-1445 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, July 14, 1945.

5808. For Moats⁴⁷ and Allison⁴⁸ from Radius and Taft.⁴⁹ Dept has received from BritEmb an *aide-mémoire*⁵⁰ in which it is proposed that EIT Conference be reconvened. BritGovt further proposes that they inform SovGovt of the desire to resume the Conference and that they are disposed to invite Provisional Polish Govt to appoint a delegation⁵¹ but before doing so BritGovt would welcome an assurance that SovDeleg would participate in work of Conference.

⁴⁶ Not printed, but see footnote 44, p. 1404.

⁴⁷ Helen M. Moats, United States Specialist on Inland Transport.

⁴⁸ John Allison, Second Secretary and Consul at London.

⁴⁹ Charles P. Taft, Director of the Office of Transport and Communications Policy.

⁵⁰ Dated July 11, 1945; for text, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), vol. I, p. 332.

⁵¹ Recognition by the United States was accorded to the Polish Provisional Government of National Unity on July 5, 1945; for documentation relating to the recognition of the new Polish Government, see *ibid.*, pp. 714-789.

BritGovt also suggested that Danish and Turkish Govts be invited to reconvened Conference and requested U.S. views on this question. Dept has answered ⁵² Brit *aide-mémoire* as follows:

"The Department of State agrees with the proposals of His Majesty's Government as contained in the British Embassy's *Aide-Mémoire* of July 11, 1945 that the Soviet Government be informed of the desire of our Governments to reconvene the European Inland Transport Conference as soon as possible. Such communication to the Soviet Government would go on to say that our two Governments are disposed at once to invite the Polish Provisional Government of National Unity to appoint a delegation to the Conference but that before doing so we would welcome assurance that the Soviet Government would participate in the work of the reconvened Conference.

"The Department of State suggests that since the original invitations to the Conference were issued jointly by our two Governments the proposal to the Soviet Government and the invitations reconvening the Conference likewise be joint communications.

"The Department of State does not believe that the Danish and Turkish Governments should be invited to send delegates to the reconvened Conference as this might entail further delay or raise additional questions concerning the participation of other governments. This question should be left for consideration either by the Conference after it is reconvened or by the Council of the Organization after the final agreement has been signed.

"This Government agrees that the Provisional Organization for European Inland Transport should continue its activities until the European Central Inland Transport Organization proper comes into being."

Please keep in touch with Fonoff on this question and work out with them text of communication to SovGovt and invitations to reconvene Conference.⁵³ Final texts should be cleared with Dept. [Radius and Taft.]

GREW

840.70/8-1345

The British Embassy to the Department of State

AIDE-MÉMOIRE

During the Berlin Conference the United States and United Kingdom Delegations discussed with the Soviet Delegation the expediency

⁵² July 14, 1945.

⁵³ The Embassy reported that the Foreign Office suggested that the matter could be more advantageously taken up at the Berlin Conference and that the Foreign Office had instructed its delegation at Berlin to consult with the United States delegation, and if agreeable, to discuss with the Soviet Government the question of reconvening the EIT Conference as part of a larger discussion of Russian co-operation in European economic organizations: see telegram 7236, July 18, 1945, 1 p. m., from London, *Conference of Berlin (Potsdam)*, vol. II, p. 1158. Subsequently, the Department sent telegram 5808 and the foregoing information to Assistant Secretary of State Clayton at the Potsdam Conference as telegram 61, July 19, 1945, with its approval of the British proposal to discuss with the Soviet authorities the question of reconvening the EIT Conference. See *ibid.*, p. 1159.

of an early resumption of the work of the Lancaster House Conference on Inland Transport which met last October but had to suspend its meetings at the end of November owing to difficulties over the representation of Poland. The three Delegations at Berlin agreed that the new Polish Government should at once be invited to send a Delegation to participate in the Conference which should resume its work as soon as that Delegation could reach London and endeavour as quickly as possible to complete the work on the Draft Convention which had not been finished last November.

2. His Majesty's Government in the United Kingdom approached the Polish Provisional Government accordingly on August 3rd, urging them to arrange for their Delegation to reach London by August 22nd.⁵⁴

3. The Polish Provisional Government has now accepted this invitation and we are given reason to hope that their delegation will reach London by August 22nd.

4. It will be recalled that in accordance with an agreement reached before the Conference met last October the Soviet Government arranged then for the attendance of an observer on behalf of Roumania and the United States Government and His Majesty's Government arranged for the attendance of one on behalf of Italy.⁵⁵ It seems to His Majesty's Government undesirable to make a similar arrangement when the conference resumes. In the case of Italy there is no longer an Allied Control Commission to represent Italy, the Allied Control Commission having been replaced by the Allied Commission. Roumania is no longer the only satellite state concerned and the Tripartite or Quadripartite character of Control Commissions in general, which has now become more of a reality, presents in any case the following difficulty. There must be serious doubt whether a Control Commission can be regarded as being a sufficiently corporate entity to permit of its representation as such. It can be held that if a Control Commission is to be represented it must be through representatives of each of the Governments which established it. Three or four representatives or observers for Germany and for each satellite state would be absurd.

4. [*sic*] In the circumstances it appears that the only practical method of ensuring that considerations relating to transportation in enemy countries are taken into account is for representatives of the controlling powers at the Conference to make it their duty to act in this matter on behalf of their national elements in each Control Com-

⁵⁴ See document No. 1163, *Conference of Berlin (Potsdam)*, vol. II, p. 1162.

⁵⁵ See penultimate paragraph of telegram 8366, October 5, 1944, 6 p. m., from London, *Foreign Relations*, 1944, vol. II, p. 810; for statement of United States position that the Control Commissions for Rumania and Italy, SHAEF and other groups should participate only as observers, see telegram 8188, October 6, 1944, midnight, to London, *ibid.*, p. 811.

mission. It would thus be for each controlling power to decide for itself whether to include in its delegation an expert to advise it on transportation matters in any given enemy country in the control of which it is participating.

5. It will, of course, be appreciated that a point of principle is involved in the above which does not apply only in the case of the Inland Transport Conference.

6. His Majesty's Embassy is instructed to inquire whether the United States Government concur with the foregoing.

7. A similar communication is being addressed to the French Provisional Government and to the Soviet Government.

WASHINGTON, August 13, 1945.

840.70/8-845

*The Department of State to the British Embassy*⁵⁶

The proposal contained in the British Embassy's *Aide-Mémoire* of August 13, 1945 has been carefully considered. In view of the fact that Rumania and Italy were represented by observers at the Lancaster House Conference last October, it is felt that it would be undesirable to deny them a similar privilege when the conference reconvenes.

It does not seem to this Government necessary that the Allied Control Commissions for Rumania, Bulgaria, and Hungary, and the Allied Commission for Italy should be represented through representatives of each of the Governments which have established them. It would seem to this Government that it would be preferable if each of the Commissions were represented by one official designated by the Commission who should be a transport expert and who might be accompanied by a national observer.

WASHINGTON, August 18, 1945.

840.70/8-2245 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, August 22, 1945—6 p. m.

[Received August 22—1:55 p. m.]

3006. Emtel 1923, June 6. FonOff replied under date August 18 to British notes dated August 5 and 13 regarding Soviet participation in August 22 Conference on European Inland Transport to effect that

⁵⁶ A summary of this note was transmitted to London in telegram 6970, August 17, 1945.

as promised at Berlin Conference USSR intends to take part⁵⁷ but considers that since Soviet delegates did not participate in discussion of text of agreement signed May 8 text should be reexamined by present Conference with a view to working out text of an agreement on the central organization for inland European transport. USSR also regards British proposal of associating ex-enemy states in work of Conference as complicated and not practically expedient believing that simultaneous representation on American, Soviet and British delegations of expert consultants of this or that ex-enemy country may seriously complicate work of Conference. USSR considers it expedient to maintain arrangements hitherto in force.

To Dept as 3006, rptd London as 419.

HARRIMAN

840.70/8-2445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 24, 1945—5 p. m.
[Received August 24—4:45 p. m.]

8636. From ECITO Delegation. European Inland Transport Conference reconvened this morning Aug 24 with Soviet and Polish delegations absent. Soviets had arrived evening of 22nd and were informed 24 hours in advance of time of meeting. They gave no indication of not intending to be present. About one-half hour before meeting this morning they informed Foreign Office of inability to be present because of not having received instructions. Gousev⁵⁸ confirmed this when telephoned by Noel-Baker⁵⁹ who with Ronald⁶⁰ regards this as "blackmail on account of Rumania".⁶¹

Poles sent word that their principal delegates had not arrived and others were delayed by an aviation meeting.⁶²

Czechs stated they were present only as observers pending arrival of delegate.

Yugos stated were present only as observers.

After short speech by Noel-Baker and brief discussion conference recessed until Tuesday afternoon August 28 with understanding that

⁵⁷ See Report by the Subcommittee on Cooperation in Solving Immediate European Economic Problems, July 25, 1945, submitted to the Ninth Meeting of the Foreign Ministers, July 27, *Conference of Berlin (Potsdam)*, vol. II, p. 1161; see also chapter XIX, Protocol of Proceedings, *ibid.*, p. 1497.

⁵⁸ Fedor Tarasovich Gousev (Gusev), Soviet Ambassador in the United Kingdom.

⁵⁹ Philip J. Noel-Baker, British Minister of State.

⁶⁰ Nigel Bruce Ronald, British Acting Assistant Under-Secretary of State.

⁶¹ Possibly reference is to the United States and United Kingdom insistence that Rumania continue to be represented by an observer.

⁶² At the third meeting of the Conference on August 28 the Soviet and Polish delegates were present.

draft agreement as attached to provisional agreement should be basis of discussion and that various suggestions for modifications might be submitted at that time.

Before meeting (reEmtel 8456 Aug 21 and 8555, Aug 23 ⁶³) Noel-Baker agreed to refrain until next meeting from proposing admission of press to all sessions. He did propose all work of conference be done in full conference session and not in committee. No objection was made. Conference Secretariat preparing press release stating Conference being reconvened without any detail as to delegations present. Noel-Baker's opening remarks being included.

WINANT

[The Agreement Concerning the Establishment of a European Central Inland Transport Organization and the Annex, Protocol Relating to Traffic on Inland Waterways, were signed at London on September 27, 1945. For texts, see Department of State Executive Agreement Series No. 494, or 59 Stat. (pt. 2) 1740.]

⁶³ Neither printed.

INTEREST OF THE UNITED STATES IN THE ESTABLISHMENT OF THE EMERGENCY ECONOMIC COMMITTEE FOR EUROPE AND THE EUROPEAN COAL ORGANIZATION ¹

840.50/1-245

The Department of State to the British Embassy

MEMORANDUM

Reference is made to the memorandum of the British Embassy dated December 2, 1944,² in connection with the proposal to form a European Economic Committee, and the suggestion of setting up a European Coal Organization. Reference is also made to the suggestion of the Foreign Office to the United States Embassy in London, and more recently to this Government in Washington, that the French Government be invited to participate in advance of the other European Allies.

This Government has previously in its *Aide-Mémoire* of September 27, 1944,³ expressed its agreement to a European Economic Committee as a forum for discussion among the European states, of questions which must be settled to insure in the early post-military period, the maximum effective interchange among them of food, raw materials and capital goods. A review of this *Aide-Mémoire* indicates that the principles there stated are fully applicable to the problems involved in the production, distribution and supply of coal in Europe. This Government is therefore prepared to join in discussions looking to a European Coal Organization formed under such principles, either as a subcommittee of a European Economic Committee or as a separate organization for the transitional period.

This Government is further of the opinion that the French Government should be represented in the discussions with the United States, the United Kingdom and the Union of Soviet Socialist Republics, from the inception.

It is believed, however, that the beginning of both a European Economic Committee and a European Coal Organization would be greatly expedited by a meeting at an early date, in London, between

¹ Continued from *Foreign Relations*, 1944, vol. II, pp. 614-638.

² *Ibid.*, p. 631.

³ *Ibid.*, p. 622.

representatives of the four governments, under very general terms of reference.

This Government, therefore, would be prepared to attend an informal meeting called in London between representatives of the United States, United Kingdom, Union of Soviet Socialist Republics and France, and suggests the date of January 29, 1945. The following terms of reference are proposed:

1. To consider what questions affecting the economic relations of the European Allies have arisen or are likely to arise in the transition period, and in particular the problems having to do with the production, supply and distribution of coal and coal-mining machinery, which cannot be dealt with effectively under existing methods of procedure.

2. To consider whether the solution of these questions requires the setting up of the proposed European Economic Committee and a European Coal Organization.

This Government is making this proposal also to the governments of the Union of Soviet Socialist Republics and France,⁴ with the suggestion that if by the date proposed either government is not prepared to participate fully, it send an observer, and participate fully whenever it decides that it desires to do so.

It is suggested that the representatives of each government discuss detailed agenda informally prior to the meeting, which can then be agreed at the meeting itself.

WASHINGTON, January 2, 1945.

840.6362/1-345 : Telegram

The Secretary of State to the Ambassador in France (Caffery) ⁵

WASHINGTON, January 3, 1945—5 p. m.

28. Prior to November 24, United States side Combined Coal Committee, Washington, following up earlier suggestions, raised again the desirability of going forward with the establishment of an organization to deal with continental coal problems during the transitional period. December second, British Embassy, Washington, proposed ⁶ European Coal Organization composed in the first instance of U.S., U.K., U.S.S.R. and European Allies with provision for a linkup with Allied Control Commissions, Combined Boards, UNRRA,⁷ EITO,⁸

⁴ By memoranda dated January 2 and January 12, 1945, respectively; neither printed.

⁵ Repeated to Moscow as telegram 15; to London as telegram 61.

⁶ *Foreign Relations*, 1944, vol. II, p. 631.

⁷ United Nations Relief and Rehabilitation Administration.

⁸ European Inland Transport Organization; for documentation, see pp. 1389 ff.

UMA,⁹ representatives of employees and employers in industry and consuming interests, including the interests of neutrals. An interim ECO¹⁰ was proposed, subject of course to military necessities. November 25, Ronald,¹¹ in London, asked Hawkins¹² what we thought about the time when the French should be asked to join the talks.¹³ December 7, Department replied tentatively that it was not at that time appropriate to include the French and exclude other European Allies.¹⁴ December 20, British Embassy told Department British expected to deliver copy of coal memorandum of December second to French in Paris and would be glad to know our reaction. On further consideration we agree that French should be approached now.

Embassy London has proposed, however, that whole procedure should be changed for both EEC¹⁵ and ECO and that the U.S., U.K., U.S.S.R. and French should be asked to a meeting in late January to consider what questions in economic affairs of Europe, and coal in particular, in transition period are not adequately cared for by present machinery, and what new machinery is desirable. Agenda suggestions could be discussed informally in advance and agreed on at meeting. Each country would be requested to send an observer if not prepared to participate fully. This would avoid obvious difficulties shown so clearly in EITO history, until the representatives of four nations had at least met.

We have therefore presented a memorandum along these lines to the British and Soviet Embassies here, and will present a similar one to the French¹⁶ as soon as you notify us of the delivery of the British coal memorandum to the French in Paris.¹⁷ You are authorized to say to the French at that time that we agree heartily with their joining the EEC and the ECO, although we wish to discuss further some of the details of the British proposals, and that they will hear from us in the near future.

Text of memorandum to be delivered to French here follows in next succeeding telegram as number 29.¹⁸

STETTINIUS

⁹ United Maritime Authority.

¹⁰ European Coal Organization.

¹¹ Nigel Bruce Ronald, British Acting Assistant Under-Secretary of State.

¹² Harry C. Hawkins, Counselor for Economic Affairs at the American Embassy, London.

¹³ See telegram 10405, November 25, 1944, from London, *Foreign Relations*, 1944, vol. II, p. 631.

¹⁴ See telegram 10251, December 7, 1944, 10 p. m., to London, *ibid.*, p. 635.

¹⁵ European Economic Committee.

¹⁶ January 12, 1945, not printed.

¹⁷ Delivered to the Minister for Foreign Affairs on January 7, 1945.

¹⁸ Not printed.

840.50/1-2345 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, January 23, 1945—6 p. m.
[Received January 23—3:22 p. m.]

803. We find that Sobolev¹⁹ has not yet heard from Moscow on the proposed EEC and ECO discussions.

Ronald is preparing a draft message to British Embassy, Moscow, instructing it to make another approach to the Soviet. The Foreign Office would appreciate an approach to the Soviet also by Harriman in which it might be mentioned that the United States will be represented from London since the only hope of early action by the Soviet is that they will also appoint a representative or an observer from their London Embassy.²⁰

Ronald thinks that the presentation of rigid agendas by the United States or United Kingdom Governments would be unwise. We note (paragraph 2 of Department's 410, January 18, 9 p. m.²¹) that the Department is working on a suggested agenda. We shall be glad to have this as soon as possible for guidance regarding the subjects which the Department wishes us to cover. We assume that this will leave it open for us to present the agenda in the form which appears most suited to the circumstances. We propose to aim at postponing until the last item the question what countries shall participate and in what form they will participate. This procedure can be supported on the ground that these questions can best be considered after agreement has been reached on the nature of the problems to be dealt with and on the structure and terms of reference of the organizations to deal with them. In this way we hope to avoid an early clash on the Soviet-Polish issue.²² If we cannot avoid differences on the last item, we shall at least have completed the work on the organization and shall have it ready to function immediately after the political difficulties have been resolved.

WINANT

¹⁹ Arkady Alexandrovich Sobolev, Counselor of the Soviet Embassy in the United Kingdom.

²⁰ W. Averell Harriman, Ambassador in the Soviet Union, was so instructed in telegram 154, January 25, 1945, 4 p. m., not printed.

²¹ Not printed.

²² For documentation on the negotiations between the United States, United Kingdom, and Soviet Union regarding the establishment of a Polish Provisional Government of National Unity, see vol. v, pp. 110 ff.

840.6362/1-2445 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant) ²³

WASHINGTON, January 24, 1945—midnight.

564. For Hawkins. Discussions among Department, Potter,²⁴ Batt²⁵ and FEA²⁶ resulted in the following suggestions in connection with the proposed European Coal Organization.

Functions

1. It is believed that there will be a large net deficiency of coal on Continent for at least two years after the end of hostilities. Such deficiency will result from reduced production due to destruction and obsolescence of equipment, lack of labor, lack of maintenance supplies and will be aggravated by continental transport difficulties. Estimated deficiencies cannot be met by imports due to tight world coal position and lack of ships and port facilities.

2. It is believed that an organization is needed (a) to contribute to the most efficient distribution of indigenous continental production, both from the point of view of end use and effective utilization of internal transport, thereby reducing residual import demands; (b) to contribute to most efficient distribution of mining equipment and maintenance supplies and materials to assure highest productive result; (c) to assist in securing cooperation of member nations in producing greatest amount of coal in the necessary grades.

3. The above paragraph (2) should be considered as also applying to coal production and distribution from occupied enemy territories. In this connection relations to Reparations Commission²⁷ will have to be worked out.

4. The Organization should preferably be a subcommittee of the European Economic Committee. If the full members desire to give the Organization powers of decision as to allocation of their own coal and priorities for equipment, we would not be opposed if limited to the emergency period but we should not make this suggestion nor can we be bound by their decisions as to priorities.

Membership

1. We believe membership should be at the technical operating level and consist of men familiar with the transportation, utilization and production of coal.

²³ Repeated to Paris as telegram 284 ; to Moscow as telegram 148.

²⁴ Charles J. Potter, Deputy Solid Fuels Administrator for War.

²⁵ William L. Batt, Vice Chairman, International Supply, War Production Board.

²⁶ Foreign Economic Administration.

²⁷ For documentation on the economic control of Germany, see vol. III, pp. 1169 ff.

2. Producing nations among Western European Allies should be full members; with the U.S., U.K., and U.S.S.R. as observers, taking part in discussions but not in recommendations or decisions made by the organization. In addition SHAEF²⁸ and possibly AFHQ²⁹ should be represented by observers.

3. We would be opposed to full British membership since joining in actions of the Organization and making commitment would, we believe, seriously prejudice the effective operation of the Combined Coal Committee both in London and here. Should the British insist on full membership we would not follow suit and would insist that any action taken by British as members would not bind the Combined Coal Committee.

Relationships with SHAEF—The Organization should, at least in the early stages, keep in close touch with the Solid Fuels Section of SHAEF in order to be fully acquainted with SHAEF's handling of existing problems and to educate itself for its activities in the postmilitary period.

Relationship to Neutrals—Coal requirements of Neutrals, particularly in relationship to Neutrals' ability to produce and supply needed equipment and supplies, will have to be considered by the Organization. Then should be discussed the means of ascertaining the needs and capacities of the Neutrals in this respect.

GREW

840.50/1-2545: Telegram

*The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)*³⁰

WASHINGTON, February 3, 1945—11 p. m.

859. ReEmbs 1006, January 29.³¹ For Hawkins. In view of French request for delay in EEC and ECO conversations, failure of Soviets to reply and desire of British not to proceed in preliminary conversations without some Soviet participation postponement of discussions until about March 1 seems necessary, particularly since Hawkins plans return to Washington. Further developments suggest desirability of expanding scope of discussions.

Combined Chiefs have sent Department and British Embassy a memorandum³² which states that SCAEF³³ is concerned as to methods now available for ensuring most effective distribution of indig-

²⁸ Supreme Headquarters, Allied Expeditionary Force.

²⁹ Allied Force Headquarters, Caserta, Italy.

³⁰ Repeated to Moscow as telegram 229; to Paris as telegram 438.

³¹ Not printed.

³² January 19, 1945, not printed.

³³ Supreme Commander, Allied Expeditionary Force.

enous resources as between liberated countries of northwestern Europe. Responsibility of SCAEF has been determined by Combined Chiefs to be limited to facilitating transfer of relief supplies between liberated countries and not to include any general jurisdiction to compel exports from one liberated area to another, except in emergencies. Combined Chiefs characterize the problem as being of "extreme and immediate importance" and ask what steps are being taken. Desirability of something along lines of EEC as previously discussed would, therefore, presumably be acceptable to Combined Chiefs.

AmEmbassy, Paris, has reported confidentially ³⁴ that Belgian Foreign Minister ³⁵ is visiting Paris about February 7 and is expected to discuss possible arrangement among France, Belgium and Holland to provide more efficient use of their common resources. This would include not only shipments between countries but also agreements with regard to the most effective rehabilitation of industries which might include arrangements not to reconstruct certain industries in one country because those industries might be more effectively rehabilitated in one or both of the other countries. French apparently contemplate that any Franco-Belgian-Dutch arrangements would be fitted into EEC when and if formed.

Paris has also reported ³⁶ that Foreign Minister of Luxembourg ³⁷ is having conversations with French officials.

In view of discussions between British and Western European Allies in September (reDepts 568, January 24 and reEmbs 913, January 26 ³⁸) and other facts stated above, it is clear that the idea of EEC is in no way novel to any of the countries or groups which would be included in EEC under our proposals, and that the idea has been generally accepted, except for the fact that Soviets have given no indication of their position. They have had the proposal before them, however, since last September.

Department has under consideration proposing that March 1 meeting be expanded to include Belgians, Dutch, and Luxembourgers, and that it be attempted at that meeting to create EEC and ECO so that they could immediately get to work. It would be suggested that between now and March 1 the problems could be discussed informally in the Four Party Committees and in the various capitols. Department would propose to discuss the matter fully with Hawkins when he returns to Washington.

You are requested to send your comments on this proposal to Department as soon as possible.

GREW

³⁴ Telegram 370, January 26, 1945, noon, from Paris, not printed.

³⁵ Paul-Henri Spaak.

³⁶ Telegram 405, January 29, 1945, 2 p. m., from Paris, not printed.

³⁷ Joseph Bech.

³⁸ Neither printed.

840.50/2-745 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 7, 1945—7 p. m.
[Received February 7—4:44 p. m.]

1333. The questions raised in Department's 859, February 3, 11 a. m. [p. m.] regarding participation in EEC and ECO have been discussed here in detail by Penrose,^{38a} Berger,³⁹ Thayer,⁴⁰ and Mosely.⁴¹ Hawkins had left before your message arrived.

Our comments are as follows:

1. We believe it to be essential to make further efforts to obtain the cooperation of USSR in both EEC and ECO. In the very near future it will be impracticable to deal with the economic questions involved unless wide participation of united and associated nations in Europe is obtained, and this depends on success in persuading the Soviets to join. This applies particularly to the general subject matter of paragraphs 2 and 3 of Department's 859, February 3.

2. We believe that the procedure which gives the best chance of obtaining Soviet participation and agreement is still that suggested in Embassy's 11323, December 20, 9 p. m. and 11343, December 21, 7 p. m.⁴² Informal meetings as small as possible give the best chance of clearing difficulties with the Soviet. Once these difficulties are removed the rest will be fairly plain sailing.

3. Once four power agreement is reached on the main issues, including the form and scope of participation, it will be easy to arrange for other countries to join the discussions after a brief interval. This will be facilitated by Ronald's earlier personal conversations with some Allied officials, the chief purpose of which was to ask them to begin thinking on the subject so that delay would be minimized later.

4. Though Sobolev informed Penrose in a conversation yesterday that he has not yet received any instructions on EEC, we think that hope of Soviet participation should not yet be abandoned. If by March 1 the Soviets have not replied we think the meeting should start on a three power basis, for reasons given in paragraph 5 below.

^{38a} Ernest F. Penrose, Special Assistant to the American Ambassador in the United Kingdom.

³⁹ Samuel D. Berger, United States Representative on the London Coal Committee.

⁴⁰ Charles W. Thayer, Third Secretary of Embassy and Vice Consul at London, on leave for military service.

⁴¹ Philip E. Mosely, Chief, Division of Territorial Studies; temporarily assigned to the Embassy at London to assist in the work of the European Advisory Commission.

⁴² *Foreign Relations*, 1944, vol. II, pp. 635 and 637, respectively.

5. We have already persuaded the Foreign Office to adopt, and the French have accepted, the procedure of preliminary four power talks in preference to the original Foreign Office proposal. It would be embarrassing to change our position at this stage. We do not think the Foreign Office would favor the proposal in the penultimate paragraph of Department's 859, February 3, particularly because of possible effects on the French and Soviet attitudes. The United Kingdom have expressed no change in their view that at least a Soviet observer should be present, and their attitude on French participation seems to imply that the French place much stock on being treated in somewhat special category. If this is so it seems probable that a proposal for a change which would remove them from such a category would produce an unfavorable reaction and necessitate further negotiation. If discussions are to begin on March 1 the time is short and further delay might be caused by proposals for a new procedure unless we were assured that they would meet an immediately favorable response. It is our belief that the proposal for wider initial participation would not meet with such a response.

6. Our conclusions are (1) that the present procedure should be adhered to for the initial talks; (2) that as soon as sufficient preliminary agreement on general principles is obtained at the initial meeting, there should be an adjournment for 10 days to allow invitations to be sent out to other proposed participants to join in discussions on a wider basis; (3) that every effort should be made by new approaches to obtain Soviet participation; (4) that in any case the initial talks should start about March 1, on a four power basis if possible, otherwise on a three power basis.

Please bring this message to the attention of Hawkins.

Repeated to Moscow as No. 37, to Paris as No. 62.

WINANT

840.6362/2-1545 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 15, 1945—6 p. m.
[Received February 15—5:43 p. m.]

1624. 1. In regard to the suggestions in Department's 564, January 24, regarding the proposed European Coal Organization. We are fully in accord with the first three paragraphs concerning functions and with the last two paragraphs of the message, but we wish to raise question regarding paragraphs 2 and 3 on membership and the last sentence of paragraph 4 on functions.

2. We note the Department's view that ECO should be a subcommittee of EEC. In these circumstances it is not clear to us why United States, United Kingdom and USSR should participate fully in EEC but only as observers in ECO. In our understanding it is intended that both EEC and ECO should be advisory organizations, and we doubt the advisability of setting up different forms of participation on the part of different groups of countries in an advisory organization.

3. In regard to the suggestion that we should oppose full participation of United Kingdom and the Soviet in ECO we fear that to take such a position might arouse some antagonism.

WINANT

840.50/2-745: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 17, 1945—midnight.

1252. Department has discussed with Hawkins Department's 859 of February 3 (repeated as 229 to Moscow and 438 to Paris) with regard to European Economic Committee and London's 1333 of February 7 (which was repeated by London to Moscow as no. 37 and Paris as no. 62). In view of the absence of comments from Paris and Moscow and the shortness of time before March 1, Department proposes to proceed as suggested in London's 1333, February 7.

Accordingly, memoranda will be delivered to British, Soviet and French Embassies here suggesting that preliminary talks originally scheduled for January 29 to be held in London about March 1 and stating that if preliminary discussions indicate agreement as to desirability of establishing EEC and a European Coal Organization, further discussions be held as soon as possible, preferably within two weeks after March 1, to include Belgians, Dutch, Luxembourgers and representatives of SHAEF. The purpose of these later discussions would be to set up the organizations and to start them functioning as soon as possible.

Moscow is requested to approach the Soviet Government referring to previous communications and to urge strongly that the Soviets participate in March 1 conversations or at least have an observer present. If no action is taken by the Soviets, March 1 conversations would proceed without them. Paris is requested to approach French Government and urge prompt reply.⁴³

Sent to London, repeated to Paris and Moscow.⁴⁴

GREW

⁴³ Identical memoranda were delivered to the British, Soviet, and French Embassies on February 19, 1945. The information in this paragraph was not communicated to the respective Embassies.

⁴⁴ As telegrams 657 and 359, respectively.

840.50/2-2445: Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, February 24, 1945—6 p. m.

[Received February 26—8:45 a. m.]

889. Reference Department's 657, of February 17, midnight,⁴⁵ and previous correspondence regarding the suggestion of holding conversations in London on March 1 to consider the proposed European Economic Committee.

In a communication dated today Alphand⁴⁶ states that the French Government agrees to take part in a preparatory meeting of an informational character which is to be held in the near future. He adds that the French Government feels that it is now able to participate profitably in conversations which can contribute to a solution of the problems which will be created in Europe by the transitional period following the termination of hostilities.

Any additional information which we may be able to obtain regarding the French attitude toward the EEC will be transmitted promptly to the Department.

Sent Department 889 repeated London as 109 for Hawkins.

CAFFERY

840.50/2-2145: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 26, 1945—6 p. m.

1463. Re Embassy's 1790, February 21.⁴⁷ For Hawkins. Department has no information as to whether French would agree to proceed with EEC and ECO conversations without Soviet attendance.

Department did not intend to discuss with British in Washington the U.K. memorandum⁴⁸ on ECO in view of Department's feeling that any detailed discussions in Washington would embarrass the conduct of discussions in London by Hawkins.

With regard to membership, Department's suggestion that members be restricted at the present time to Western European Allies was based partly on difficulties which would result from attempt to include Polish representative or neutrals (see Department's 10129, December 2⁴⁹), partly on fact that transportation between Western Europe and other parts of the continent is extremely restricted and

⁴⁵ See footnote 44, p. 1420.

⁴⁶ Hervé Alphand, Director of Economic Services, French Foreign Office.

⁴⁷ Not printed.

⁴⁸ Presumably the British paper of December 2, 1944, on coal; for text, see *Foreign Relations*, 1944, vol. II, p. 631.

⁴⁹ *Ibid.*, p. 633.

partly on Department's view that there would be more chance of successfully setting up an effective mechanism if a modest goal were sought. If and when conditions warranted, representatives of areas other than Western Europe might be included if the more limited objectives suggested by the Department had been achieved.

Embassy will note that last paragraph of Department's 578 of January 26⁵⁰ suggested as a possible topic of discussion the establishing of a committee for Southeastern Europe. Also refer to Department's 393 to Moscow, repeated to London as 1383.⁵¹

The Department desires to re-emphasize its dislike of economic regionalism. If the need for an organization like EEC continues into the period when it is practicable to extend its scope to include all continental Europe, the Department would prefer such extension rather than the maintenance of two or more regional groups.

GREW

840.6362/2-1545 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 27, 1945—9 p. m.

1495. Re Embassy's 1624, February 15. For Hawkins. Department's views regarding form of participation in European Coal Organization result from our estimate of probable operation of ECO. While we believe Committees should be advisory in character, an organization of technical coal experts dealing with transportation utilization and production of coal are apt to reach conclusions which although in form of recommendations, will in fact represent an agreed operating program. It was in anticipation of this that Department's 564 of January 24, paragraph 4 of *Functions*, suggested possibility that ECO might be given powers of decision.

U.S. members of Combined Coal Committee⁵² would be very reluctant to seeing British participate fully in decisions on coal which might prejudice existing combined committees here and in London. It was on this basis that Department expressed opposition to full British membership in ECO. This was not an instruction to oppose formally but expressed views of Department and other interested agencies.

In discussions regarding ECO and other discussions, discretion is left to Hawkins.

GREW

⁵⁰ Not printed.

⁵¹ February 22, 1945; not printed.

⁵² Set up as a coordinating and information clearance and advisory body.

840.50/2-2845 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, February 28, 1945—10 a. m.

[Received February 28—7:10 a. m.]

572. ReDeptel 359, February 17, midnight.⁵³ I have received a note from Vyshinski ⁵⁴ dated February 26, which states that the Soviet Government agrees to initiate conversations of an exploratory character with representatives of the Governments of the US, Great Britain and France on the creation of a European Economic Committee and a European Coal Organization and to discuss the questions set forth in the amended terms of reference as contained in Balfour's ⁵⁵ letter of January 21 (reEmbs 223, January 24, 4 p. m.⁵⁶).

The note continues that the Soviet Government, considering a discussion of these questions important, does not object to the proposed conference in London between Soviet, British, American and French representatives for the purpose of creating a European Economic Committee and a European Coal Organization. To participate in these conversations the Soviet Government has appointed as its representatives the trade representative of the USSR in London, D. B. Borisenko, and Professor Bayar.⁵⁷

Sent to the Department repeated to London.

HARRIMAN

840.50/3-145 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 1, 1945—9 p. m.

[Received 10:15 p. m.]

2116. 1. The United States, United Kingdom, USSR, French meetings on EEC opened this morning at the Foreign Office with Hawkins, Ronald, Borishenko, and Alphand as the principal representatives. Ronald presided and suggested at the outset that the terms of reference proposed by the State Department for the meeting be adopted. This was agreed. Borishenko said that he had no specific instructions to discuss coal but that he would attend coal discussions and take note of what was said.

2. Ronald, in his introductory statement, said that primary respon-

⁵³ See footnote 44, p. 1420.

⁵⁴ Andrey Yanuaryevich Vyshinsky, First Assistant People's Commissar for Foreign Affairs of the Soviet Union; note not printed.

⁵⁵ John Balfour, British Minister in the Soviet Union.

⁵⁶ Not printed.

⁵⁷ Representative of the Soviet Commissariat of Foreign Trade.

sibility for external economic policy rests with the government of each country and that there is no intention to set up overall machinery to control European external relations. The objective is to consider common economic problems collectively with a view to making the best use of what we have. He recommended examination of the questions by categories. There were questions arising from shortage of supplies, shortage of the means of moving the supplies, relations between ally and ally, between ally and neutral and between ally and enemy or ex-enemy. In addition there might [be?] a category of pre-surrender problems.

3. The meeting agreed to a proposal by Hawkins that two drafting committees should be set up, one on EEC and one on coal to prepare statements outlining the nature of problems involved in each case during the transition period and the scope of existing machinery. These drafting groups would place reports before the next meeting to be held Friday afternoon to form a basis for discussions which would lead to agreed recommendations to the four governments. The drafting committees would take account of the points raised in today's discussions.

4. The remainder of the discussion covered many of the suggested questions which have been covered in memoranda and suggested agendas of the Department and the Foreign Office. Alphand said that suggestions should be made concerning the kinds of raw materials, foods and technical problems which might conveniently be dealt with by special technical committees of EEC. He thought that production in Germany should be taken into account and added that it should be indicated in the report that besides dealing with short term problems an EEC might be useful in solving problems of production and distribution in the longer period.

Alphand has not yet made clear what he considers the extent of the "longer period" to be.

5. The drafting sub groups were then set up, the Soviet agreeing to participate in both and the meeting was adjourned till 3 p. m., Friday.⁵⁸

WINANT

840.50/3-445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 4, 1945—7 p. m.

[Received 10 : 25 p. m.]

2232. Further meetings on EEC and ECO were held on Friday and Saturday.⁵⁹ (For report of first meeting see Embassy's 2116, March

⁵⁸ March 2.

⁵⁹ March 2 and 3.

1, 9 p. m.). The French delegation is leaving for Paris Monday morning. The next meeting will be held on Friday, March 9.

1. Rapid progress was made on EEC and a draft text of a report and recommendation has been agreed tentatively except on one point, which concerns the relations between EEC and ECO.

2. The analysis of the economic questions of the transition period and the description of the proposed functions of the EEC and the fields in which its services may prove to be useful are, we believe, in harmony with the Department's views. The tentative draft text of the part setting forth the recommendations and the proposed terms of reference is sent in the immediately following telegram.⁶⁰

3. As regards the question of membership and of what countries should be invited to join, the position has been changed by the Yalta Conference.⁶¹ None of the countries has advanced any suggestion of regionalism and the French and British took it for granted from the outset that invitations should be sent to, and that membership should consist of, all the European Allies, except that the invitation of Poland should be postponed until the new government is established.

4. We have reexamined our files on EEC and note that (I) the Department in its *aide-mémoire* of September 27, 1944⁶² agreed with the United Kingdom position that all the European Allies should enter into EEC; (II) that subsequent modification of this position following discussions with Ambassador Harriman were the outcome of the Soviet-Polish dispute which is now on the way to settlement; (III) that the Department remains strongly opposed to economic regionalism.

5. In these circumstances we have concluded that it would be most unwise and would place us in an anomalous position if we became the sole advocates of a regional approach. We have therefore agreed tentatively to the position indicated in the last sentence of paragraph 3 above, and unless we hear anything to the contrary from the Department, we do not propose to raise any issue on this point.

6. It appears to us that no obstacle remains to agreement on recommendations with respect to EEC, except insofar as relations with ECO may be involved.

II

7. There has been general agreement on the urgency of the European coal question and on the need for an ECO. Divergent

⁶⁰ *Infra.*

⁶¹ For documentation on this Conference, see *Foreign Relations*, The Conferences at Malta and Yalta, 1945.

⁶² *Foreign Relations*, 1944, vol. II, p. 622.

views have, however, been expressed concerning the powers of ECO and its relations to EEC.

8. Until shortly before the discussions began, the Foreign Office considered that ECO should be an advisory subcommittee of an advisory EEC. Ronald expressed this view unambiguously in informal conversations with Hawkins and Sobolev. We learn confidentially that subsequently the Ministry of Fuel and Power opposed this position and at a ministerial committee meeting succeeded in getting its own position adopted against Foreign Office views. Thus the United Kingdom position now is that ECO should in general operate on the basis of recommendations but should have power of executive decision in emergency matters within Europe. The words "within Europe" were inserted in the draft note on ECO, section C (I) in order to make clear that ECO operations would in no way prejudice Combined Coal Committee action. The spokesmen for the MFP⁶⁴ at the meeting also took a strong position against having ECO set up as a subcommittee of EEC.

9. In regard to the two partially interrelated issues, (I) whether ECO should have executive or only advisory powers; (II) whether ECO should be a subcommittee of EEC or have a more or less independent status like EITO, the French expressed views in line with the views of the Ministry of Fuel and Power. The Soviet, however, expressed the view emphatically that ECO should be a subcommittee of EEC along with any other commodity committees. This is the only point on which Borishenko, who lacks detailed instructions, took a strong position. He did not specifically refer in the general meeting to the question whether advisory or executive powers should be given to ECO, but in the drafting committee meeting he repeatedly indicated that the ECO should be advisory.

10. The core of the question seems to be that the British officials concerned with coal fear that there would be undue delay if decisions on a mass of detailed business, partly having to do with the disposition within Europe of a large number of relatively small quantities of coal, had in each case to be referred back to each government, and particularly if the reference back had to be made through EEC rather than directly.

11. In accordance with the Department's views, we have expressed a preference for setting up ECO as an advisory subcommittee of EEC but have so far refrained from pressing the point to a serious issue. We have tentatively endeavored to meet what there is of substance in the MFP and the French case by recognizing that it would be undesirable to set up a clumsy committee structure under which all matters of detail on ECO would have to be referred to EEC before

⁶⁴ Ministry of Fuel and Power.

being referred to governments. We have suggested that ECO should report directly to governments but that EEC should have the power to review recommendations of ECO, and should exercise that right, not as a matter of course, but when it considered that review was necessary in the interests of coordination.

12. Section II of the immediately following telegram contains the draft note on ECO, paragraph C (I) of which the United Kingdom and French members of the coal drafting group proposes, and following it that which Berger suggested as a substitute.

13. We consider it premature to raise questions concerning the form of United States, United Kingdom and USSR participation in ECO until the implications of paragraph C (I) have been fully clarified through private conversations with the other participants.

WINANT

840.50/3-445: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 4, 1945—7 p. m.

[Received 11:59 p. m.]

2233. I. The following is the draft text of the proposed recommendations on the establishment of a European Economic Committee:

[“]3. In view of the foregoing it is recommended that a consultative and advisory body, to be known as the European Economic Committee, be established as soon as possible to deal with the type of problems described above. The general terms of reference might be:

“To provide a forum for discussion and interchange of information and for the formulation of recommendations with respect to (a) economic questions arising in Europe during the last part of the European war and the transition period immediately following, and (b) such questions of reconstruction policy and longer term development as must necessarily be considered in connection with (a)’

“4. In the initial stages the committee should be composed of representatives of the Allied Governments in Europe and the United States Government.⁶⁵ Neutrals could be brought in as and when the foundation members agreed that it was expedient. The attendance of representatives to speak for the enemy countries will have to be arranged in different ways according to the extent to which the controlling or occupying powers have assumed responsibility for the various functions of government. The exact manner of their representation will, however, be a matter for decision by the controlling or occupying powers, in consultation with the members of the EEC.

“5. It will clearly be necessary for the European Economic Committee to agree at the very outset an effective working relationship

⁶⁵ Acceptance by the United States of all European Allies was indicated by the Department in telegram 1773, March 8, 1945, 6 p. m., to London (840.50/3-445).

with other parties whose fields of activities have or will have connections with the committee's sphere—the appropriate military commands, combined boards, UNRRA, United Nations Maritime Authority, European Central Inland Transport Organization, the food and agriculture organization, the Bretton Woods organizations, the reparation and restitution commissions, and the control machinery in occupied enemy countries.

“6. The European Economic Committee should be established as soon as possible with the terms of reference set forth in paragraph X above, and should proceed at once to take appropriate steps, including the establishment of suitable reactions with the bodies mentioned in the preceding paragraph and the creation of any technical or other committees or agencies that may be required to deal with particular goods or problems.”

II. Following is the text of the proposed draft note on a European coal organization:

“A. Nature of the problem.

“(I) Need for coordination of coal supplies for Europe.

“The recent acceleration in the progress of the European war has underlined the urgency of the problem of coordinating coal supplies for Europe in the period immediately preceding and following the end of the German war. It is already clear that, owing to manpower and transport difficulties, supplies of coal from non-German sources will, for some time, fall far short of requirements, even if enemy resistance were to be overcome without extensive damage to Allied and enemy coal fields; and that in this transition period, Europe will have to depend to an appreciable extent on German coal. Later, when and if export surpluses become available in the Allied coal-producing countries, it is considered that, so long as the total requirements in Europe exceed total supplies, the only means of ensuring a fair and equitable distribution of total export supplies would be to coordinate the allocation of such supplies, together with Germany's surplus. The measure of this surplus will depend on the requirements of Germany's national economy as determined by the Allies, and on any reparations, political, and economic agreements.

“(II) Equipment for mines.

“Supplies of mining machinery and equipment will be required for the mines to reach their maximum production. Many of these requirements are in very short supply and will need expert coordination so as to ensure an equitable and efficient distribution of both indigenous and non-indigenous supplies. It may well be, for instance, that German mines should not have the first choice of machinery and equipment produced by German industry. An important factor in the distribution would be the extent to which output of coal could be increased by the provision of mining machinery and equipment made available for allocation on the lines proposed in the preceding paragraph due regard being paid to local needs and to the transport available at the time.

“(III) Mining labor.

“The return of displaced miners, and the recruitment of new, presents a serious problem requiring coordination so that the needs of

Europe as a whole may be determined and presented to the appropriate authority.

“(IV) Transport.

“As the possibility of moving supplies both by land and sea will be entirely dependent upon the availability of transport, it will be necessary to coordinate the demands for the transport of coal and mining machinery, so that these demands can be effectively presented to the authorities responsible for coordinating transport to meet requirements, e.g. the United Maritime Authority and the European Central Inland Transport Organization.

“(V) Handling of German coal and mining machinery.

“The allocation of German supplies which may be made available outside Germany will need careful and expert handling if a truly equitable distribution is to be ensured and if the legitimate trading interests of the Allies are to be adequately safeguarded.

“B. Existing machinery.

“(I) The combined boards at present only allocate available exportable supplies of coal and planned items of mining machinery emanating from the British Empire and the U.S.A.

“(II) During the period of military operations, SHAEF and AFHQ control the import of coal and mining machinery into north-west Europe and the Mediterranean area.

“(III) Neither of these arrangements would suffice to deal with the problems outlined above. In any case, the period during which the Allied Commanders in Chief will continue their present limited functions is short.

“C. Proposed machinery to meet the problem.

“(I) With the object of ensuring a fair and equitable allocation of available supplies, it is proposed that a European coal organization should be set up for the effective coordination of European requirements and supplies in relation to the world shortage of coal supplies, mining labor and equipment and transport. In general, the European coal organization should make recommendations to the appropriate governments, international organizations and other bodies concerned. Also, the member governments should empower their representatives to arrange for action to be taken with the appropriate authorities to resolve emergency problems within Europe as they arise.

“(II) The organization should be composed, in the first instance, of representative of the United Kingdom, the U.S.A., the USSR, France and the other European Allies. There should, of course, be provision for the establishment of such relationships as may in each case be appropriate with the Allied Control Commissions, combined boards, UNRRA, the proposed European Economic Committee, EITO, UMA, and other bodies which may be established. Provision should also be made for appropriate relationships with representatives of employers and employees, and with consuming interests, including the interests of neutrals.”

The United States member of the drafting committee proposed to substitute the following for C (I) in the above text:

“It is proposed that a European coal organization should be set up for the effective coordination of European requirements and supplies

in relation to the world shortage of coal supplies, mining labor and equipment, and transport, with the object of insuring a fair and equitable distribution of available supplies and in order to resolve emergency problems as they arise."

WINANT

840.50/3-445 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 8, 1945—9 p. m.

1776. For Hawkins. Following comments on the draft recommendations contained in your 2233, March 4 are made after discussion between interested agencies in Washington.

General terms of reference in section 3 of EEC draft could be interpreted as authorizing consideration of long term problems which became apparent during emergency period but whose solution was not required to meet immediate problems. Accordingly we would suggest that first three words of (a) be revised to read "economic questions requiring solution".

Third sentence of section 4 in referring to "enemy countries" may carry implication that enemy nationals would be represented. Also question of Austria would not be clear. It is suggested that word "countries" be changed to "areas".

Reference in paragraph 6 to "suitable reactions" means, we assume, "suitable relations".

With regard to ECO document, it is not clear what is meant by section A (III). We would regret any tendency to have ECO closely involved in displaced persons problem⁶⁶ or the problem of recruiting labor. If this section merely means to recite that priorities of rehabilitation may be affected by labor supply, it seems unobjectionable.

Section B (II) seems too broad. The importation of coal and mining machinery into northwest Europe can presumably be effected through national import program without SHAEF control and it seems unwise to overstate SHAEF authority.

We much prefer your draft of section C (I). No objection seen to including second sentence of other draft of C (I) omitting words "in general". As stated above, we would greatly regret an attempt to give ECO executive powers. In practice any decisions reached must be carried out through national agencies and other authorities and the attempt to have such bodies bound by ECO decisions seems to raise unnecessary difficulties. If they accepted decision of ECO, they would act whether decision was advisory or recommendatory.

⁶⁶ For documentation on this subject, see pp. 1146 ff.

If they dissented from ECO decisions, it seems highly unlikely that they could be coerced into following them. Our experience with combined boards, whose action is through recommendations, indicates this method of operation is highly successful. Agreed recommendations have the force of decisions and yet there is avoided the problem of giving a foreign country power of decision. U.S. coal authorities would object to ECO purporting to make decisions involving quantity of supplies to be imported into Europe although they would not object to decisions as to destination of amounts previously determined by Combined Coal Committee to be available, subject to shipping considerations. If proposed phrase "within Europe" includes U.K. coal and equipment, decisions in ECO as to their distribution would be highly embarrassing in the operation of the Combined Coal Committee. You should strongly urge that ECO should operate through recommendations only. If power of decision is given to ECO, it is doubtful if U.S. would participate except by an observer.

Section C (II) raises two important problems. The first is the relationship between ECO and EEC. We feel strongly that ECO should be subordinate to EEC. If representation on ECO is kept at the technical level, as suggested by us, there should be a group to whom broader policy matters could be referred and EEC could fill this role. There may be other specialized organizations needed, for instance, fertilizer (see your 11403, December 22 ⁶⁷) and power. We would consider it most unfortunate to have several specialized organizations operating independently without an established method of coordination. This would be particularly true in the relations between such specialized organizations and other bodies such as EITO, any reparations organization, UMA, et cetera. While we recognize the desirability of avoiding a complicated hierarchy, we agree that the relationship described in paragraph eleven of your 2232 of March 4 would provide a sensible method of operation. Relations between national and other coal authorities and ECO could proceed from day to day without reference to EEC except in those cases in which coordination with other agencies or groups was necessary or in which broader policy considerations arose.

The second point raised by C (II) relates to the last sentence. We are not clear what is proposed but feel that representation on ECO should be at the governmental level, each government undertaking to represent the various interests within its area. Again the analogy of the combined boards indicates that governmental representation is the most efficient. Representation of employers or employees separate from their governments would seem to lead inevitably to the injection

⁶⁷ *Foreign Relations*, 1944, vol. II, p. 638.

into ECO of matters far beyond its basic purpose. The interests of neutrals should be taken into account, but this seems a different problem, to be approached independently.

GREW

840.50/3-1345: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 13, 1945—8 p. m.

[Received 10:15 p. m.]

2599. 1. In private conversation last night Borishenko told us that he will continue to support the prompt establishment of ECO but that he expects to make a statement at the meeting on Thursday⁶⁸ opposing the establishment of EEC at this time, on the ground that such a committee, if set up at all, should be set up at the San Francisco Conference⁶⁹ as a possible regional subgroup of the world organization (chapter IX of the Dumbarton Oaks proposals⁷⁰). After prolonged discussion Borishenko continued to adhere tenaciously to this view.

2. We explained that in our view an EEC should be set up promptly without prejudice to what is done at San Francisco and should be strictly limited to immediate problems of the transition period. However the Soviet delegation speak and apparently think on economic matters in simple, general terms and do not appreciate distinctions between the "transition period" and the "long term". It is not certain but we think it is likely that Borishenko will actively oppose the establishment of EEC on Thursday morning. We propose to adhere firmly to our position but a difficult period of negotiation must be anticipated on EEC.

3. Borishenko said he was convinced of the need for ECO and that he thought he would be in a position also to support the establishment of other groups dealing with special questions, such as fertilizers and textiles, if the need for them could be demonstrated.

4. Borishenko's change of position was unexpected in view of the strong opinions which he expressed in the early meetings that ECO should be a subcommittee under EEC.

5. Ronald on several occasions has said that in the United Kingdom view it is even more urgent to establish ECO and other groups dealing with limited economic subjects than to establish EEC. However we strongly concur with the view expressed in the penultimate paragraph

⁶⁸ March 15.

⁶⁹ For documentation on the United Nations Conference on International Organization, San Francisco, April 25-June 26, 1945, see vol. I, pp. 1 ff.

⁷⁰ For documentation on the Dumbarton Oaks conversations on International Organization, see *Foreign Relations*, 1944, vol. I, pp. 713 ff.; for text of Chapter IX of the proposals, see *ibid.*, p. 898.

of Department's 1776, March 8, that it would be unfortunate to have several specialized organizations operating independently without an established method of coordination.

6. For our confidential information it would be helpful to us to be informed of the Department's views regarding the more detailed elaboration of chapter IX of the Dumbarton Oaks plan, particularly in its application to Europe.

7. We think the United Kingdom view is likely to be that the working out of the details of the economic and social council could not conveniently be done in such a large gathering as will take place in San Francisco, and that it will probably be more convenient to set up an interim commission as was done in the case of the food and agricultural organization.

8. The coal drafting committee met this morning and the immediately following telegram contains a further revised text, which was tentatively agreed for submission to the general meeting Thursday morning.

9. In line with the changed position of the Soviet regarding EEC the Soviet representative on the coal drafting committee refused to agree to any reference to EEC in the draft text on coal. The United Kingdom member said that ECS [*ECO?*] may come into existence before EEC and in any case it would be for EEC to decide what its relationship to ECO should be. Berger tried to insert a sentence in line with the views expressed in the penultimate paragraph of Department's 1776, March 8, 9 p. m., but was unable to obtain any support for it. We will make another attempt at the meeting on Thursday morning. However in view of the Soviet attitude regarding EEC we think that if this attempt is unsuccessful we should not delay the formation of ECO on this issue but should reserve our right to raise it again in the EEC negotiations.

Sent to Department as 2599, repeated to Paris as 145 and Moscow as 97.

WINANT

840.50/3-1545 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 15, 1945—11 p. m.

[Received 11:59 p. m.]

2714. The Soviet representative at the meeting this morning reaffirmed the Soviet Government's desire to proceed with ECO but on EEC he took, on behalf of his Government, the native [*negative?*] position which we predicted in Embassy's 2599, March 13, 8 p. m.

1. Borishenko showed anxiety to reach agreement on ECO as soon as possible but raised some questions concerning the last sentence of A (I) and concerning A (V). In the discussion some advance was made in clarifying the issues but in view of Borishenko's difficulties in following a detailed discussion in English he asked for another meeting of the coal drafting committee before committing himself. There is still the possibility that difficulties may arise over the points mentioned in the second paragraph of Department's 1943, March 13, 9 p. m.⁷¹ The drafting committee will meet tomorrow and the full committee next Wednesday. We hope to be able to clarify the position tomorrow.

2. On EEC Borishenko read the statement paraphrased as follows:

"Careful consideration has been given by the Soviet delegation to the documents which it has received regarding the setting up of a European Economic Committee and the proposed functions of the committee. The Soviet delegation is of opinion that the setting up of European Economic Committee is impracticable for a number of reasons particularly:

(a) The European Economic Committee would be deprived of several functions and would be made into an inanimate organ by the proposed formation of an economic and social council at the forthcoming San Francisco Conference.

(b) The delegation considers it most practicable to set up such specialized organizations as for example ECITO, UMA, ECO, for the coordination of the efforts of various separate economic problems.

(c) The European Economic Committee, having regard to the existence of such international economic organizations as the international monetary fund, UNRRA et cetera, would isolate the European governments from a direct contact with these organizations and would handicap the work of these organizations.

The Soviet delegation suggests that the question of the setting up of an European Economic Committee be eliminated from further discussions in view of the foregoing."

The exact meaning of (b) in the above text is not clear to us. We will ask Borishenko to retranslate.

3. For the United Kingdom Ronald expressed regret that there should be delay in setting up EEC but thought that the Soviet statement raised issues which would make it necessary for the delegations to consult their governments. He said that the United Kingdom were not clear how much discussion of the details of the scope and organization of economic and social council could take place in the very large meeting at San Francisco. They thought that plans would have to be worked out to cover much of the ground formerly covered by the League [of Nations] technical organizations and then it would have to be decided what additional specialized bodies would

⁷¹ Not printed.

be needed. There would be a vast field to cover and the United Kingdom thought it would probably be necessary to set up an interim body. In Ronald's opinion it was improbable that the San Francisco meeting would reach the point of actually setting up regional committees of the Economic and Social Council.

4. We said that we appreciated the desire of the Soviet that nothing should be done to prejudice the proposed Economic and Social Council, and shared their faith that that council would become an effective body. We added that the sort of EEC that we desired would in no sense be competitive with, nor would it encroach on the jurisdiction of, the Economic and Social Council and its constituent groups. It was designed to deal with immediate emergency questions some of which already existed while others would arise before the structure proposed under Chapter IX of the Dumbarton Oaks plan could get into full working order. We considered that the proper concern of the Soviet for the place of the Economic and Social Council, with its constituent bodies, could be met by introducing amendments or additions to the statement on EEC, making it clear that EEC's concern was only with immediate emergency economic matters and providing that its terms of reference and its whole position should be reconsidered when the Economic and Social Council came into existence. We then put forward the proposed change of title and additional paragraph which Mr. Clayton⁷² repeated to Penrose in last night's telephone conversation and asked that when the national representatives present consulted their governments on the issues raised they should communicate these proposals to them. They all agreed to do this.

5. The French representative said that his Government was convinced of the need for prompt establishment of an EEC to deal with pressing questions that were already affecting France and other liberated Allies. He expressed complete agreement with the views expressed by the United States representative.

6. It was then agreed that discussions on EEC should be adjourned while the representatives consulted their governments.

7. In personal conversation after the meeting with Borishenko we got the impression that the Soviet would come to San Francisco with

⁷² William L. Clayton, Assistant Secretary of State for Economic Affairs. Mr. Clayton suggested to Dr. Penrose that it might be useful to re-name the organization "The Emergency Economic Committee for Europe". Mr. Clayton suggested that the problem raised by the Soviet position described in London's 2599, March 13, printed *supra*, could be met by inserting at the end of paragraph 3 of the EEC document the following two sentences:

"The European Economic Committee shall deal with currently pressing economic problems of an emergency character and coordinate the work of special committees established to deal with such problems. When and as the Economic and Social Council contemplated in the Dumbarton Oaks proposals shall have been established, there should be reexamination of the work of the EEC and of its possible relationship to the Economic and Social Council." (840.50/3-1345)

detailed ideas as to the implementation of Chapter IX of the Dumbarton Oaks plan.

8. In view of Borishenko's rigid instructions it seems unlikely that the Soviet position can be changed except by direct representations to the Soviet Government. Ronald suggests that such representations should be withheld for a few days in order to draw up an agreed list of points which he and the United States and French representatives consider would be most effective in supporting the idea of an EEC in representations to the Soviet Government. He is now engaged in drafting these points and will discuss them with us shortly.

Sent to Secretary of State 2714, repeated to Moscow as 98 and Paris as 151.

WINANT

840.6362/3-1745 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, March 17, 1945—8 p. m.

[Received 8:28 p. m.]

2802. Following the meeting on Thursday reported in Embassy's 2714, March 15, 11 p. m., and a meeting of the coal drafting committee last evening, the position of the negotiations on the proposed European Coal Organization may be summarized as follows:

1. We have reached agreement with United Kingdom, USSR and France that ECO should remain advisory and not an executive body.

2. The difficulties with the Soviet concerning references to reparation, which we forecasted in Embassy's 2503, March 10, 7 p. m.,⁷⁴ and in the third sentence of paragraph 1, Embassy's 2714, March 15, 11 p. m., came to a head in the coal drafting committee yesterday. It is clear that Borishenko has been strictly instructed from Moscow to press uncompromisingly for the inclusion in its coal document of passages which we cannot accept.

3. The last sentence A (I) in the draft coal document sent to you in Embassy's 2600, March 13, 8 p. m.⁷⁴ reads, "The disposition of German coal will be conditioned by various factors, especially reparation policy as and when it may be laid down". For this sentence Borishenko proposed to substitute the following: "The distribution of German coal will be conditioned in the first place by the reparation policy and thereafter by other requirements which will be determined by the controlling powers".

4. Prolonged discussions at the delegation meetings, the drafting committee meetings and privately, have shown that the Soviet intend:

⁷⁴ Not printed.

(I) to be a statement of priorities and (II) to imply that decisions on reparations must be completed before ECO can begin to consider any questions relating to German coal supplies; (III) to convey implications as to which countries will determine reparation policy. This was underlined by Borishenko's reaction to another suggested amendment which was as follows. "The measure of the German surplus which may be made available by the controlling powers for use outside Germany will be conditioned by reparation and other agreed policies.["] Borishenko said he was ready to consider this if for the words "conditioned by reparation and other agreed policies" the following were substituted: "conditioned in the first place by reparation policy and thereafter by other agreed policies of the controlling powers". Berger replied that the words "and thereafter" were not acceptable because they implied a decision on priorities, which the ECO meeting was not competent to decide. He also raised questions on the implications of the last four words of the sentence.

5. At the full delegation meeting on Thursday we made clear, and have repeatedly explained to Borishenko, that in our view the meeting on ECO, as well as ECO itself when it is set up, are not authorized to deal with questions involving reparation policy nor with priorities concerning the disposition of coal mined in Germany, though of course it is possible that ECO might serve a useful purpose in compiling information on the needs of the Allies for coal and in making recommendations on the distribution of any German coal available for export, the destination of which had not already been determined by other policies. We have also emphasized to the Soviet that the activities of ECO should be subject to whatever policies are laid down on reparation and on the foreign trade of ex-enemy countries and should not be allowed to prejudice such policies in any way. We have pointed out that we are not proposing to enter into any discussion for or against the policy issues on German coal which the Soviet are raising, since these are a matter for future discussion through other channels.

6. In regard to this last point, however, Borishenko's instructions are that the statement which the Soviet propose contains "a most important principle which must be included" in the coal document. The Soviet appear to be using tactics, familiar to us in our UNRRA work here, of attempting to use bodies on meetings intended for specialized discussions as channels for the propagation of their ideas on general policy issues.

7. Both private and public discussions with the Soviet are taking place in a most friendly and frank atmosphere and the Soviet delegates show an obvious desire to cooperate to the fullest extent that their instructions permit. It seems probable that the outstanding issues on ECO, like those on EEC, will soon have to be taken up di-

rectly with the Soviet Government in the hope of getting the instructions to the Soviet delegates altered.

8. The French are supporting us fully on ECO as well as EEC. On ECO we think they may be influenced by a desire not to assent to reparation decisions on coal that might be reached only by United States, United Kingdom and USSR. The Department will have noted that Borishenko has used phrases which imply that France would be among the powers desiring reparation.

9. The coal drafting committee will meet again on Tuesday and the delegations on Wednesday of next week. If no agreement is reached on Wednesday it will be necessary to adjourn for consultation with government[s].

10. On Monday we hope to send Department text of an instruction which the Foreign Office may send later next week to Clark Kerr ⁷⁵ with reference to an approach to the Soviet Government regarding EEC.

Sent Department as 2802, repeated to Moscow and Paris as numbers 101 and 154.

WINANT

840.50/3-2145 : Telegram

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

Moscow, March 21, 1945—10 a. m.

[Received 2:30 p. m.]

832. From London's telegrams on ECO and EEC I note that deadlocks have been reached in each of these sets of discussions due to instructions received by the Soviet representative which are not acceptable to us and from which he is not at liberty to depart. As I understand it the Russians do not wish the EEC to be set up at all, and will not agree to establishment of the ECO unless the principle is embodied in its statutes that the body must not take up question of German coal supplies before an agreement has been reached on reparations, and that thereafter distribution of German coal shall be determined in the first place by reparation policy. These views, as I understand, are unacceptable to the other delegations. I note that in the case of each of these deadlocks, the suggestion has been advanced that an effort should be made to settle the matter by direct representations to the Soviet Government, presumably through this Mission and the British Embassy in Moscow, with a view to getting instructions of Soviet representative altered (Winant's 2714, March 15, 11 p. m. and 2802, March 17, 8 p. m. to Department).

⁷⁵ Sir Archibald J. K. Clark Kerr, British Ambassador in the Soviet Union.

I question advisability of any direct representations to the Soviet Government in these matters. My reasons follow:

1. Past experience has shown that if we now take initiative in trying to break this deadlock by direct representations in Moscow, the first conclusion which will be drawn here is that we are much more anxious to get on with these matters than is the Soviet Government, and that the latter is, therefore, in a good bargaining position to hold out for higher political objectives which it wishes to achieve and which, as was pointed out in paragraph 6 of London's 2802, March 17, 8 p. m., to the Department, have little legitimate connection with these specialized discussions. In other words the Soviets will regard our direct appeal to them as a sign of weakness on our part, if anything it will stiffen their position.

2. One of our greatest difficulties in dealing with Soviet Government is its reluctance to give any scope of action to its representatives in international discussions. When we go over heads of its representatives and appeal directly to the Government in Moscow we are playing precisely the Soviet game and are encouraging Soviet leaders to continue this very practice which causes us so much difficulty. This has already been done so much that they are now coming to regard their representatives in discussions abroad as mere vehicles for sounding out the position of others, and have no hesitation in giving them unreasonable and categorical instructions, being confident that any resulting deadlock will always be appealed directly to Moscow for solution. I can assure the Department that if the Soviet Government can ever be induced to show more elasticity in international dealings and to give more leeway to those who represent it, it will only be if it is demonstrated by experience that to tie the hands of such representatives by too narrow instructions can have results detrimental to Soviet interests.

3. It should be borne in mind that all we can do here in Moscow is to place in writing before the Soviet Government the views of our Governments on the points at issue. Even the officials with whom we deal are not ones who have authority to settle these matters and it is wasted time to attempt to persuade them by oral representations of the merits of our views. Since they will receive this written presentation in no different form than if it is given to their representation on the spot, nothing tangible is achieved thereby other than to confirm the Soviet Government in its impression that it has superior bargaining position and can afford to insist on its own wishes.

In the case at hand, Borishenko has been duly appointed by the Soviet Government to represent it in discussions concerning EEC and ECO. I recommend that whatever views our Government has on these subjects be stated frankly and clearly to Borishenko. If he

is then unable to obtain from his Government instructions which enable him to reach agreement with us, I recommend that we regard the deadlock as final and proceed with whatever further measures we find it in our interest to take. These measures should, in my opinion, include whatever joint action, independent of the Russians, may be found necessary on the part of the other powers represented in the discussions. If the Soviet representative expresses concern over a breakdown of the negotiations, it might be suggested to him this time as a matter of tactics that possibly his Government would wish to take the matter up with the British and American Governments.

I am mindful of the urgent importance of obtaining prompt and effective Soviet collaboration on questions involved. But, I am satisfied that the overall interests of such collaboration will not be served if we continue to place ourselves regularly in the position of supplicants to the Soviet Government for action which, although in possession of all relevant data, it has not otherwise been prepared to take. I am sure that a firmer tone and a greater show of independence on our part on the spot will produce better results than any number of empty handed approaches here in Moscow.

Sent Department as 832, repeated to London as 127.

HARRIMAN

840.50/3-2145 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, March 22, 1945—midnight.

2222. Substance of Moscow's 832 March 21 to the Department (repeated to London) on EEC and ECO was informally communicated to the British Embassy March 22, with indication that we felt this method preferable to their proposal to make representations at Moscow.

We are drafting comments on statement of relationship of EEC and ECO to economic and social council as contained in your 2859 March 20.⁷⁶ These will be forwarded to you together with a suggested statement of our position on the reparations points referred to in your 2802 March 17.

Repeated to Moscow.⁷⁷

GREW

⁷⁶ Not printed: it contained a statement of British views (840.50/3-2045).

⁷⁷ As telegram 679.

840.50/4-1745 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, April 17, 1945—7 p. m.

[Received 9:40 p. m.]

3903. Following is a summary of the present position of EECE⁷⁸ and ECO and of our views regarding future procedure.

1. The only obstacle to prompt establishment of both EECE and ECO is the attitude of the Soviet. It has been agreed to wait until April 20 to give the Soviet an opportunity to reply to the representations made at the meeting on April 10.

2. As a result of the repeated representations made in London by the United States, United Kingdom and French delegations to the head of the Soviet delegation and passed on by him to Moscow, there are signs that the Soviet is becoming uneasy at finding itself in a minority position. The Soviet has drawn back from its extreme negative position on EECE and would "if necessary" join in a reconsideration of EECE after the San Francisco Conference. The question therefore arises whether we should agree to a postponement of further EECE discussions until that time or should proceed to establish EECE without the Soviet.

3. Our view still is that an essential prerequisite to the initiation of any plan for proceeding without the Soviet is that at least France, Belgium and Holland should first be found willing to join in the plan. We have privately sounded out the French⁷⁹ and Ronald the Belgians, Dutch and Norwegians. We understand that the Belgians and Norwegians and probably the Dutch will be ready to go ahead if necessary without the Soviet. The French here are willing to do the same but have not yet obtained an instruction from Paris on the matter. The acting head of the French delegation⁸⁰ has gone to Paris for some days and we await his return for definite information on the French position.

4. If the French and the United Kingdom will agree to join in some form of EECE whether the Soviet do so or not, we strongly favor taking prompt steps as soon as practicable after April 20 to invite other European Allies to a meeting to set up EECE. Our view is that if we accepted the Soviet proposal for delaying EECE discussions

⁷⁸ The name of the projected organization had been changed from European Economic Committee to Emergency Economic Committee for Europe.

⁷⁹ Meeting of April 11, 1945, between Hervé Alphand and Henry R. Labouisse, Jr., adviser on economic affairs at Paris, with the honorary rank of Minister.

⁸⁰ Olivier Boris Wormser, Secretary of the French Embassy in the United Kingdom.

we should lose valuable time without any assurance of compensating future gain. Even if the Soviet change their general attitude after the San Francisco Conference they may attach unacceptable conditions to their adhesion to EECE in line with the tactics which they have used in the EITO and ECO negotiations.

5. We therefore favor the following procedure: (1) Given assurance that at least the United Kingdom, French, Dutch, Belgians and Norwegians will join an EECE, to send invitations in the name of United States, United Kingdom and France to the other European Allies (the invitation to Poland to be postponed until an agreed government is established) to meet at a date about 10 days ahead to set up EECE; (2) to express to the Soviet an appreciation of their willingness to return to a discussion of EEC after the San Francisco Conference, to inform them that in view of the urgency of the matter, the long delay since the first proposals were made, and the strong views on the need of EEC expressed on the UNRRA Committee of the Council for Europe by a number of Allied countries, we feel it necessary without further delay to invite other Allies to discuss the immediate establishment of an emergency committee the functions of which will be reconsidered when the Economic and Social Council is set up, and we hope that if such an emergency body is established the Soviet will participate at least by an observer.

6. It is our view that the invitation should go to all the European Allies and not to a western group only, first because all the Allies have been informed on the CCE of UNRRA that we favor an EEC and difficulties would arise if some of them were subsequently ignored, and second because, even if a few of the Allies, for example Czechoslovakia, felt that they could not accept for political reasons it is still desirable to do all we can to counteract the tendency for separate spheres of economic influence to arise in Europe. If Czechoslovakia or any other country does not wish to participate fully it can be invited to send an observer.

As regards ECO, we have given careful consideration to the question whether a limited *ad hoc* coal committee without the Soviet would be useful. We have discussed the matter with Ott ⁸¹ and unofficially with SHAEF coal officials. We are now all agreed that such a body would serve useful purposes. It would provide means for inter-Allied consultation with respect to the needs for coal and coal mining machinery, thus facilitating the work of the Combined Coal Committees. Its work would also be useful to the United States, United Kingdom and French members of the Control Commission.

If there is no change in the Soviet position we therefore strongly favor proceeding to the establishment of an informal *ad hoc* inter-

⁸¹ Probably Walter J. Ott of the War Production Board.

Allied coal committee, following similar procedures to those recommended above in reference to EEC.

Please bring this message to the attention of Hawkins.

Sent to Department, repeated Moscow as 138, Paris as 204.

WINANT

840.50/4-2045 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, April 20, 1945— 5 p. m.

[Received April 20—4: 15 p. m.]

4044. 1. Wormser, acting head of the French delegation on EEC and ECO has informed us and the Foreign Office, that his Government agrees to join a move to establish EEC even if the Soviet will not participate.⁸²

2. Following the arrangements described in Embassy's 3903, April 17, 7 p. m., Ronald will communicate with Borishenko tomorrow and if, as is expected, a negative reply or no reply has come from Moscow, the next step will be that Ronald and Penrose will separately and in terms similar in substance but not identical in form, express satisfaction to Borishenko that the Soviet do not rule out the possibility of joining an EEC, but will indicate that in view of the increasing urgency of emergency European economic problems requiring joint consultations, the United Kingdom and United States delegations are unable to accept an indefinite delay in the EEC discussions and are considering the next steps to take.

3. Next, it has been agreed between us and the United Kingdom and French delegations that an informal exploratory talk should be held on Wednesday April 25 with the Dutch, Belgians and Norwegians to discuss our general conception of EEC and agree on a procedure for establishing the committee. On Tuesday we shall meet Ronald and Wormser to agree on the way in which the subject will be approached with the other Allies at Wednesday's meeting.

4. The French viewpoint is that, within the week after next Wednesday's meeting, invitations should go out to all the European Allies and to the Soviet to attend a meeting to be held on May 25 to set up EEC. We think that at least 2 weeks should be allowed between the time when the invitations are issued and the date of the meeting but would prefer May 18 to May 25. We are discussing this point further with Wormser.

⁸² In telegram 4119, April 21, 1945, 9 p. m., from London, it was reported that the French had also agreed "to join in setting up ECO without the Soviet if necessary". (840.50/4-2145)

5. The question arises whether the invitations to the meeting on May 25 or earlier should be sent out by United States, United Kingdom and France together or by the United Kingdom only as the government of the country in which the meeting is to take place. The French favor the latter course and the United Kingdom are willing to agree with it. We have no strong preference either way and unless the Department feels that the former course is preferable, we propose to accept the French desire.

6. A separate message will follow shortly on ECO.

Repeated to Paris as 210; Moscow as 143.

WINANT

840.6362/4-2445: Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, April 24, 1945—7 p. m.

3219. 1. Department agrees with your views regarding EEC and ECO as set out in your 3903, April 12 [17]; 4044, April 20 and 4119, April 21.⁸³

2. More specifically with regard to EEC, if informal talks with Dutch, Belgians and Norwegians indicate that they will go ahead, we agree that meeting for establishing the Committee should be called. In view of urgency of economic problems, we would favor a date prior to May 25. We are anxious to maintain full French participation at all stages and therefore would prefer having any invitations made jointly by U.S., U.K. and France. In discussion here Alphand said France would join in invitation. We agree that invitation should go to all European Allies except Poland at the present time and including the Soviets. Invitations might include suggestion of sending observer if full participation not acceptable.

3. Alphand indicated in conversation with Clayton here⁸⁴ that France might propose at San Francisco that Social and Economic Council would be authorized to sponsor regional economic organizations and that EEC might develop into such an organization. We stressed to Alphand our conception of EEC as an emergency body. It would be desirable to stress this point in any conversations which you have. Even if Social and Economic Council were to play such a role there is doubt as to the place of the U.S. in a European regional economic group except during emergency period.

⁸³ No. 4119 not printed.

⁸⁴ Mr. Alphand had stopped over in Washington en route to the San Francisco Conference. His conversation of April 20 with Mr. Clayton is recorded in a memorandum of April 20, not printed (840.50/4-2445).

4. With regard to ECO, we agree that circulation of proposed Soviet amendments would be unfortunate and hope that French will not press this point.⁸⁵ In view of the extreme seriousness of coal problem throughout the world, we would favor proceeding at earliest possible time with ECO even if EEC is delayed. As you know, Dr. Potter, Deputy Solid Fuels Administrator, is proceeding to London and presumably Paris shortly. He is fully familiar with U.S. and world coal situation and his presence at time of discussing ECO formally might be helpful.

5. Substance of above message has been discussed with Hawkins.

6. Sent to London, repeated to Paris as No. 1658 and to Moscow as No. 943.

GREW

840.50/4-2745 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, April 27, 1945—midnight.

[Received April 28—5:15 a. m.]

4321. In a series of personal conversations which we had with Hall-Patch⁸⁶ and Coulson,⁸⁷ Wormser and Lamping⁸⁸ in the last week the way was prepared for an informal meeting yesterday morning in the Foreign Office, attended by representatives from Belgium, Holland and Norway and by the French and United Kingdom delegations and Penrose and Berger.

1. The following procedure was provisionally agreed subject to confirmation from the Belgians, Dutch and Norwegians within 5 days.

(a) One week from the day of the meeting the United Kingdom Government to issue an invitation to all the European Allies except Poland, together with the United States and USSR to attend meetings in London, the first on May 18 to establish ECO and the second on May 25 to establish EEC.

⁸⁵ The full text of the document for the establishment of ECO with proposed Soviet amendments was transmitted to the Department by telegram 3708, April 11, 1945, 9 p. m., from London (not printed). The major point in the Soviet amendments was the specific allocation of first priority to reparation coal over other coal demands. Telegram 4119, April 21, 1945, 9 p. m., from London reported that the French Government wished to have the Soviet amendments circulated to the other Allied Governments in advance of the ECO meeting; the London Embassy feeling this move would be a serious error because it would be equivalent to placing the amendments on the agenda and possibly deadlock the talks (840.50/4-2145).

⁸⁶ Edmund Leo Hall-Patch, British Assistant Secretary of State for Foreign Affairs.

⁸⁷ John Eltringham Coulson, Acting First Secretary in the British Foreign Office.

⁸⁸ M. Lamping, Netherlands representative to ECO meetings.

(b) The documents on ECO and EEC agreed between the United States, United Kingdom and French delegations to be circulated as the basis on which the ECO will be set up. Proposed Soviet amendments on ECO will not be circulated.

(c) Arrangements to be made for ECO and EEC to hold working meetings a day or two after the meetings at which they are established.

2. Regarding paragraph 2 of Department's 3219 April 24, it does not seem clear whether Alphan's views are precisely identical with Wormser's instructions. In addition difficulties arose over an instruction from the French Government that the proposed Soviet amendments should be circulated along with the coal document (Embassy's 4119, April 21⁸⁹). Wormser, who was in Paris when his instructions were drafted, said, in reply to Penrose's representations on the undesirability of such a procedure, that his instruction on the matter was the outcome of a difference of view within the French Government. One group was at first opposed to going ahead on EEC and ECO without the Soviet, but subsequently agreed to a compromise which made provision for the circulation of the Soviet amendments on coal and for fixing the meeting to set up EEC one month after the opening of the San Francisco Conference.

3. To get these instructions altered Wormser said the whole subject would have to be reopened within the French Government. Wormser felt that there would be some risk that the outcome of this might not be satisfactory. But he was ready to agree that if the United Kingdom offered at the meeting yesterday to send out the formal invitations as the government of the country in which the meetings were to be held he would not raise the point concerning the proposed Soviet amendments, since the French Government would in that case not be taking direct responsibility for the form in which the invitation was issued.

4. This remained the position just before yesterday's meeting began and Penrose agreed to the procedure outlined in paragraph 1 above for the following reasons:

(a) It was essential to avoid reviving the sterile controversy on the proposed Soviet amendments at yesterday's meeting and also at the meeting planned for May 18.

(b) Wormser had agreed to make a statement at the meeting yesterday indicating the French Government's support of ECO and willingness to join it.

(c) The joint action of United States, United Kingdom and France might be attained by a slightly different procedure in the next few days.

5. As regards (c) Penrose discussed the question of joint action again today with Wormser and Hall-Patch, and finding Wormser

⁸⁹ See footnote 85, p. 1445.

still unwilling to risk stirring up in Paris the question of the Soviet amendments, asked him whether he would suggest to his Government the following alternative procedure: the United Kingdom to issue the invitations through the heads of their missions to the governments concerned and the French and United States Governments to instruct their heads of missions in the same capitals at or about the same time to approach the governments to which they are accredited, to indicate that France and United States support the proposed meetings and will participate in the establishment and working of the organizations, and to express the hope that the governments in question share these views and intentions.

6. Wormser agreed to recommend this procedure to his Government in a telegram tonight and Hall-Patch said he was sure it would be welcomed by the United Kingdom Government. We would appreciate hearing from the Department as soon as possible whether this procedure is acceptable.

7. Regarding paragraph 3, Department's 3219, April 24, Penrose spoke strongly in the same sense at the meeting yesterday and Hall-Patch expressed agreement. Wormser has already expressed the French agreement with our proposed addition to the terms of reference bearing on this point and it will be incorporated in the document which is to be circulated to the countries.

8. Regarding paragraph 4, Department's 3219, Berger spoke strongly in the same sense at yesterday's meeting. We are looking forward to Potter's arrival.

9. We have pressed for an earlier date than May 25 for the EEC meeting but the difficulties described above stand in the way. However, we have obtained agreement that the committees shall start work immediately after their formal establishment.

Please bring this message to the attention of Hawkins.

Repeated to Paris as 225, Moscow as 149 and Brussels as 131.

WINANT

840.50/5-245 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

[Extract]

LONDON, May 2, 1945—4 p. m.

[Received May 2—12:50 p. m.]

4430. 1. It was agreed at the meeting last Thursday⁹⁰ with the Belgians, Dutch and Norwegians that the absence of comment from them within 5 days would be taken as confirmation that their Govern-

⁹⁰ April 26.

ments approved of the arrangements outlined in paragraph 1 of Embassy's 4321, April 27, midnight. No comments have been received and the way is therefore clear for the invitations to be sent out.

WINANT

840.50/5-945 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant) ⁹¹

WASHINGTON, May 9, 1945—6 p. m.

3654. For Hawkins. An *aide-mémoire* with the following text is being delivered to the Washington missions of all countries invited to EECE and ECO meetings in London: ⁹²

"The Department of State has been advised that the British Government delivered to a representative of the (name of invited country) Government in London an invitation to attend a meeting in London on May 18, 1945 for the purpose of establishing a European Coal Organization and another meeting on May 25, 1945 for the purpose of establishing an Emergency Economic Committee for Europe. It is understood that these invitations were accompanied by memoranda which outlined the types of emergency economic problems which might be considered by these organizations and made suggestions as to their form and functions. Similar invitations were delivered to United States representatives in London.

"Representatives of the United States Government have discussed with representatives of the Governments of the United Kingdom, France and the Union of Soviet Socialist Republics, over the course of the past weeks, the desirability of creating organizations of the type mentioned in the British invitations. It is the view of the United States Government that a useful purpose could be served by such bodies if created promptly to consider the difficult and urgent economic problems which have arisen and will continue during the period immediately following the cessation of hostilities in Europe.

"Accordingly, the United States Government intends to accept the invitations and, if it is agreed to establish the bodies as suggested in the invitations, will participate in the formation and subsequent proceedings of the organizations. It is hoped that the (name of invited country) Government will give favorable consideration to the proposals made in the British invitations."

You are accordingly authorized to accept the British invitation. Please advise Hornbeck ⁹³ and Osborne. ⁹⁴ A message giving the gen-

⁹¹ Repeated, except for last paragraph, to Paris as telegram 1960, to Brussels as 376, and to Moscow as 1043.

⁹² Sent on May 8, 1945, to the Washington missions of the following Governments: Belgium, Czechoslovakia, France, Greece, Luxembourg, the Netherlands, Norway, the Soviet Union, Turkey, and Yugoslavia; sent to the Danish Legation on May 17, 1945.

⁹³ Stanley K. Hornbeck, Ambassador to the Netherlands Government-in-exile at London.

⁹⁴ Lithgow Osborne, Ambassador to the Norwegian Government-in-exile, at London.

eral background of these organizations will be sent by the Department to United States missions in Greece, Turkey and Yugoslavia.⁹⁵

GREW

840.50/5-1245 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 12, 1945—1 p. m.

3723. For Hawkins. In view of the liberation of Denmark and the reestablishment of its government, it is suggested that you take up with the British the sending of a formal invitation to the Danish Government to attend the meetings on ECO and EECE. The Department would favor the sending of such invitations and, on advice from you that they had been sent, would follow up in Washington in the same way as in the case of other invitees.

GREW

840.50/5-1645 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 16, 1945—5 p. m.
[Received May 16—3 : 59 p. m.]

4875. ReDepts 3723, May 12, 1 p. m. Your suggestion regarding formal invitation to Danish Govt to attend meetings of ECO and EECE is agreed to by the Foreign Office which is issuing the invitation immediately.

WINANT

840.50/5-1745

The Chargé of the Soviet Union (Novikov) to the Secretary of State

[WASHINGTON,] May 17, 1945.

[Translation]

SIR: In connection with the *aide-mémoire* of the Department of State of May 8⁹⁶ I have the honor to communicate, on instructions of the Soviet Government, the following:

With the agreement of the governments of the U.S.S.R., Great Britain, the U.S.A. and France there was called in London a conference

⁹⁵ Airgram to Athens, Ankara, and Belgrade, May 11, 1945, not printed.

⁹⁶ See telegram 3654, May 9, 6 p. m., to London, p. 1448.

of an exploratory character which was supposed to consider questions relating to the suitability of creating a European Economic Committee and a European Coal Organization.

Agreeing to the calling of this conference, the Soviet Government had in view that the reports prepared by the participants in the conference would be presented to the governments concerned for study, after which a conference would be called for the ratification of the statutes of these economic organs and of the basic regulations fixing the sphere of their competence and their practical operation.

With the purpose of creating favorable conditions for the work of the conference on the establishment of the organs named, the Soviet delegation at the London Conference took an active part in the preparation of a memorandum on the character of the future activity of the European Coal Organization. However, the series of important proposals of the Soviet delegation did not encounter support on the part of the other delegations. In particular, the proposal of the Soviet delegation in regard to the fixing of the limits of the functions of the European Coal Organization and the Allied Control Commission in Germany ⁹⁷ in relation to the distribution of German coal was not accepted by the other delegations.

The Soviet Government considers that the distribution of German coal should be exclusively within the competence of the Allied Control Commission and, consequently, the European Coal Organization can devote itself to questions of the distribution of surpluses of German coal, in which connection the size of these surpluses should be determined by the Allied Control Commission.

In connection with the fact that differences on a series of questions arose at the London Conference, the Soviet Government proposed that these differences should be adjusted either at that same conference or through diplomatic channels. However, instead of such a singularly suitable procedure for resolving the differences, the government of Great Britain considered it practicable to call a conference for May 18 which should be a conference for founding (the organization).

The Soviet Government considers the calling of such a conference inopportune. The Soviet Government considers it essential for the governments, the representatives of which are participating in the London Conference, to consider in advance the memorandum prepared at the Conference in London, and also the amendments of the Soviet delegation, after which to come to agreement on the date of calling a governmental conference which would be empowered to adopt the statutes of the European Coal Organization.

⁹⁷ For documentation on the participation of the United States in the Allied Control Council for Germany, see vol. III, pp. 820 ff.

The Soviet Government could not take part in the conference mentioned without consideration, in advance, of the questions referred to, in the manner proposed.

The Soviet Government considers it essential also to point out that in the event of the setting up at this conference of a European Coal Organization, its functions should be limited solely to recommendations concerning the production and distribution of coal located in the countries participating in this organization, inasmuch as German coal, being an element of reparations, should be distributed with the approval of the Allied Control Commission.

As regards the calling of a conference on May 25, 1945 for the establishment of a European Economic Committee the Soviet Government considers that it would be inappropriate to take a definite decision toward setting up a European Economic Commission in advance of a decision on the question of setting up an International Economic and Social Council and regional organizations at the conference at San Francisco.

Accept [etc.]

NOVIKOV

840.50/5-1945 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 19, 1945.

[Received May 20—2:56 a. m.]

5058. 1. The European Coal Organization was established yesterday at a meeting attended by representatives of UK, US, France, Belgium, Netherlands, Norway, Luxembourg, Czechoslovakia, Yugoslavia, Greece, Denmark and Turkey. The representatives of all these countries expressed the willingness of their countries to join except those of Czechoslovakia and Yugoslavia who said that they had no authority to participate and would have to report the results of the meeting to their Governments and await instructions. The representatives of Greece, Norway and Denmark said they were sure their Governments would participate but they had not yet received formal instructions. The Soviet had previously sent a note to the UK indicating that they did not propose to attend the meeting.

2. Ronald, who presided, said that the UK Government was convinced that transport and fuel problems were among the most urgent matters affecting Europe today. He recalled the steps already taken regarding UMA and the provisional ECITO and pointed out the close connection between coal problems and transport problems.

3. German coal and coal mining machinery, he said, naturally play a considerable role in European coal problems. This raised immediate

difficulties, since the Allied Armies were not yet in position and the Allied Control machinery was not yet in its stride. Also an agreed reparations policy had not yet been reached. One of the chief problems facing them was how to coordinate or reconcile the provision of the wherewithal to live today with compensation for the wrongs of yesterday. This was a difficult problem but it was not for ECO to solve it. Its solution depended on decisions on fundamental policy matters. Pending these decisions, the precise functions of ECO could not be determined.

4. However, Ronald continued, ECO was concerned with the fact that in the meantime coal must move and the immediate job was to decide how much could be done in the common interest now without prejudice to future decisions on policy. Possibly, in addition, ECO might be able to facilitate the application of some of those decisions. Where so much was hypothetical, no detailed constitution or definition of functions could be written and ECO would have to evolve rules as it went along.

5. Hawkins expressed US agreement with the establishment of ECO and willingness to cooperate with and participate in it. Marjolin⁹⁸ referred to the complexity of the coal problem and said the French Government agreed that an international organization was needed and accepted representation on it. He touched briefly on the relations of the French to the combined Boards, but reserved the development of this point for a future working meeting of the organization. Varvaressos⁹⁹ said he was quite certain the Greek Government would collaborate fully. Inland transport conditions made it impossible for Greece to obtain central European supplies. The Norwegian representative, promising fullest cooperation, emphasized the "desperate" need of coal in Norway. Brief statements were then made by other representatives on lines indicated in paragraph 1 above.

6. The meeting to establish ECO was then concluded and immediately followed by a meeting, presided over by Eaton-Griffith,¹ of the representatives on ECO of the countries which had agreed to join. An account of the meeting is being sent in a separate message.

Repeated to Paris as 287, Brussels as 156, Athens as 18; Belgrade as 1.

WINANT

⁹⁸ Robert Marjolin, Director, Bureau of Foreign Economic Relations, French Ministry of National Economy.

⁹⁹ Kyriakos Varvaressos, Greek representative.

¹ J. Eaton-Griffith, Assistant Secretary, British Ministry of Fuel and Power.

840.50/5-2945 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 29, 1945.

[Received May 29—9:07 a. m.]

5386. 1. EECE was established at a meeting this afternoon, the following countries notifying the adherence of their Governments: Greece, Luxembourg, Netherlands, Norway, France, Belgium, Turkey, UK, USA. The Danish representative said that he had not yet received instructions but was confident that his Government would join.² The Zecho representative had no instructions but will sit as observer until he receives them.

2. Richard Law,³ who presided, said that EECE would be of the greatest service to Europe. The problems with which it would deal were of extreme gravity and urgency. Physical destruction in Europe was far greater than in the last war. The whole future of Europe and the world depended on the restoration of the European economy. EECE was not intended as an executive or legislative body but as a body for pooling ideas and clarifying minds. It was designed not to supplant or replace but to supplement and coordinate where necessary other organizations. It might undertake two classes of work. First it would deal with broad policy questions that might be referred to it by governments and perhaps by ECO, EITO and other international bodies, and second with problems that no existing organization serves it should be flexible and should not lay down rigid rules beforehand.

3. Hawkins indicated the adherence of the US Government on the basis of the terms of reference in the memorandum May 3⁴ and urged that the organization of the work should proceed rapidly because of the pressing nature of the problems involved. On his recommendation it was decided that a UK chairman and secretary should be appointed temporarily to expedite the initial work in London. Law accepted for UK but stressed the temporary nature of this arrangement.

² The Danish Government formally notified its adherence at a meeting of the Emergency Economic Committee for Europe on June 4, 1945.

³ British Minister of State in the Churchill War Cabinet which resigned May 23, 1945; Mr. Law served as Minister of Education in the "Caretaker" Government which took office May 25, 1945, and resigned July 26, 1945.

⁴ Note of May 3, 1945, from Ronald to Winant (not printed), inviting the United States to a meeting in London beginning May 25, 1945, for the purpose of establishing an Emergency Economic Committee for Europe. A reply of May 15 from W. J. Gallman, Counsellor of the London Embassy, to Anthony Eden, British Secretary of State for Foreign Affairs, accepted the invitation on behalf of the United States Government.

4. Alphand expounded the points in the memorandum of May 3, and stressed the usefulness of EECE in facilitating the work of the combined boards. He and the British representative particularly emphasized the advisory nature of EECE. The Belgian representative referred to the need for consultative machinery to deal with such questions as the equitable distribution of exportable foods from Denmark.

5. The first business meeting of EECE was fixed for Wednesday at which provisional arrangements will be discussed.

Sent to Department as 5386; repeated to Paris as 320; Brussels as 167; Athens as 22; Ankara as 42; Oslo 3; Copenhagen as 1.

WINANT

[Questions relating to the adherence of other States, Allied, neutral or ex-enemy, to the newly formed bodies, constantly engaged the attention of the representatives during their deliberations in 1945 and into 1946, and were the occasion for frequent exchanges between the Embassy in London and the Department. For information regarding the accession or presence of other States, see Emergency Economic Committee for Europe, *Report by the Secretary General, 1945/46*, and European Coal Organisation, *European Coal Organisation, 1945 to 1947, Brief Description and History*.

Toward the end of 1945 a question arose regarding the informal status of ECO, brought on by the withdrawal of military personnel from the organization, the resultant need for organizing a paid civilian staff, and the financial problems that arose relating thereto. In November the ECO Council, including the American representation, unanimously adopted a proposal for recommendation to their respective Governments that participation in ECO be established under a formal agreement. The Department of State, after several exchanges with the Embassy in London, finally agreed to this arrangement, after securing in the financial article (Article VII) a provision that reserved the position of each member government in respect of the requirements of its constitutional procedure. (840.6362/11-1045, 11-2945, 12-745, 12-845, 12-1445, 12-1945, 12-2745)

The agreement was signed at London on January 4, 1946, to be effective from January 1. For text, see Department of State Treaties and Other International Acts Series No. 1508, or 60 Stat. (pt. 2) 1517.]

INTEREST OF THE UNITED STATES IN INTERNATIONAL CIVIL AVIATION MATTERS ¹

[The Department of State announced in a press release of February 9, 1945, that the signature of the United States Delegates on the Interim Agreement on International Civil Aviation, the International Air Services Transit Agreement, and the International Air Transport Agreement signed at the International Civil Aviation Conference at Chicago on December 7, 1944, constituted "acceptances by the Government of the United States of America and obligations binding upon it." On February 8 the Department sent a circular telegram instructing its missions to notify the other Governments of this action; for text of the press release of February 9, incorporating text of the circular telegram, see Department of State *Bulletin*, February 11, 1945, page 198.

Letters were exchanged between the Assistant Secretary of State (Acheson) and the Attorney General of the United States (Biddle) on January 13, and February 8, 1945, respectively, as to the question of whether the "Two Freedoms Agreement" and the "Five Freedoms Agreement" might "be made operative as executive agreements under existing legislative authority". These are found in the Department's central indexed files under 800.796/1-1345 and 800.796/2-845, respectively.

The Convention on International Civil Aviation was sent to President Roosevelt for transmission to the Senate in a covering letter from

¹ For previous documentation regarding United States policy with respect to international civil aviation matters, with particular reference to the International Civil Aviation Conference held at Chicago, November 1-December 7, 1944, see *Foreign Relations*, 1944, vol. II, pp. 355 ff. It may be noted that the Chicago Conference formulated a Convention on International Civil Aviation, establishing an International Civil Aviation Organization and containing provisions relating to air navigation and international air transport, which was opened for signature on December 7, 1944 (Department of State, *Treaties and Other International Acts Series No. 1591*, or 61 Stat. (pt. 2) 1180). The Conference also concluded an Interim Agreement on International Civil Aviation, establishing a Provisional International Civil Aviation Organization (Department of State *Executive Agreement Series No. 469*, or 59 Stat. (pt. 2) 1516); an International Air Services Transit Agreement (the so-called "Two Freedoms Agreement") (Executive Agreement Series No. 487, or 59 Stat. (pt. 2) 1693); and an International Air Transport Agreement, commonly known as the "Five Freedoms Agreement" (Executive Agreement Series No. 488, or 59 Stat. (pt. 2) 1701).

See also documentation regarding the conclusion of interim arrangements between the United States and the United Kingdom concerning commercial air services between the two countries and regarding United States policy with respect to the conclusion of civil air transport agreements with the countries of the Near and Middle East, printed in vols. VI and VIII.

Acting Secretary of State Grew dated March 5, 1945, Department of State *Bulletin*, March 18, 1945, page 436.]

800.796/4-1645: Circular telegram

*The Secretary of State to Certain Diplomatic Representatives*²

WASHINGTON, April 16, 1945—3 p. m.

The Departments of this Government handling aviation matters are all much concerned over the fact that only six Governments, namely, the United States, Canada, Norway, Netherlands, Ethiopia and the Polish Government in exile, have accepted the Interim Agreement on International Civil Aviation (reference Department's circular telegram February 17, 1945³).

At the time that the establishment of a Provisional International Civil Aviation Organization was decided upon at Chicago it was confidently believed that the 26 states necessary to activate it would accept promptly and that the Interim Council of the Organization would meet in Montreal within a comparatively short time. The approaching end of the war in Europe makes it highly probable that the airlines of many nations will soon be in a position to resume or inaugurate commercial operations in that territory and other areas. It is of the utmost importance that the provisions of the Interim Agreement regulating air navigation, use of airports, and flight over territory of member states become effective throughout the world at the earliest possible date. It is also highly desirable that the Interim Council initiate its studies of the many problems which will arise in connection with these operations and formulate its recommendations as soon as possible. Furthermore, the action which the nations take or fail to take will have broad implications with respect to postwar international cooperation. It would be most helpful if the Provisional International Civil Organization could be accepted by a majority of the nations during the early days of the San Francisco Conference. We have received no indication that any governments represented at Chicago propose to abstain from the proposed Organization, and can only assume that their delay in acting is caused by failure to appreciate the importance of this matter.

Incidentally, the Canadian Government has informed us that there is an acute shortage of office space and private housing facilities in Montreal and that they are seriously handicapped in their planning

² Sent to 43 diplomatic missions.

³ Not printed; it instructed the heads of diplomatic missions to seek personal interviews with the Minister for Foreign Affairs of the Government to which each was accredited and to express the hope that his Government would accept the Interim Agreement on International Civil Aviation (800.796/2-1745).

by the lack of any assurance of the approximate date when the Interim Organization may be activated or the number of people who may come to Montreal.

Please seek a personal interview at the highest level to discuss this matter and use your best and most earnest efforts to persuade the Government to which you are accredited to act as promptly as is possible under its constitutional procedure.

STETTINIUS

800.796/4-1645

*The Assistant Secretary of State for Economic Affairs (Clayton)
to the Ambassador in the Soviet Union (Harriman)*

No. 531

WASHINGTON, April 16, 1945.

SIR: The Soviet Government, as you are aware, was invited to participate in the International Civil Aviation Conference at Chicago last Fall but did not send delegates. The Soviet Government was, therefore, not one of those which would ordinarily receive from this Government a certified copy of the Final Act. However, in planning for the establishment of an Interim Council of the Provisional International Civil Aviation Organization, the Conference clearly indicated its hope that the Soviet Government would see fit to accept a seat on that Council. The provisional organization provides for a council of 21 members, and 20 members only were elected to seats, thus leaving the way open for the Soviet Government to be elected as the 21st state if that Government indicates its willingness to accept.

In order that the Soviet Government may be informed of the results of the International Aviation Conference, the Department is transmitting herewith a certified copy of the Final Act,⁴ which you may deliver to the appropriate official of the Soviet Government in such manner as you consider most appropriate, at the same time informing him of the seat reserved on the Interim Council.

For your information, this Government is very desirous of seeing the Soviet Government adhere to the Chicago documents in the manner which is prescribed in the documents and is particularly desirous of seeing the Soviet Government join the provisional international organization. The Department, however, leaves it to your discretion whether any expression of such hopes should be conveyed to the Soviet authorities at this time.

Very truly yours,

WILLIAM L. CLAYTON

⁴For text, see Department of State Conference Series No. 64: *International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents* (Washington, Government Printing Office, 1945).

[In a statement released to the press on June 7 (Department of State *Bulletin*, June 10, 1945, page 1056) the Department announced the coming into force on June 6, 1945 of the Interim Agreement on International Civil Aviation, with the required acceptance by twenty-six states having been achieved and surpassed. The Department's statement said that the interim agreement provided, among other things

“for the establishment of the Provisional International Civil Aviation Organization (PICAO), which will consist of an assembly of all nations accepting the agreement, as well as a 21-member council elected by the assembly every 2 years. The PICAO will have advisory and technical functions but will not be empowered to regulate the economic phases of air transport. The Interim Council will formulate and recommend the adoption of technical standards and procedures and will study, report, and recommend on problems relating to air navigation and international air transport. The provisional organization will function for an interim period not to exceed 3 years from June 6, 1945. It is expected to be superseded within that time by the permanent International Civil Aviation Organization, which will be established after 26 countries have ratified or adhered to the Convention on International Civil Aviation, which was also concluded at the 1944 Chicago air conference.”

For summaries of the First and Second Sessions of the Interim Council of the Provisional International Civil Aviation Organization, held at Montreal, August 15–30 and October 15–November 30, 1945, see *Participation of the United States Government in International Conferences, July 1, 1945–June 30, 1946* (Department of State publication No. 2817), pages 169–173.]

800.796/6–1245

The Ambassador in the Soviet Union (Harriman) to the Secretary of State

No. 1805

Moscow, June 12, 1945.

[Received July 12.]

SIR: I have the honor to refer to the Department's confidential instruction of April 16 transmitting to the Embassy for delivery to the Soviet Government a certified copy of the final act of the International Civil Aviation Conference. In the Department's instruction the Embassy was advised that the United States Government was very desirous of seeing the Soviet Government adhere to the Chicago documents in the manner which was prescribed in the documents and was particularly desirous of seeing the Soviet Government join the Provisional International organization. The Department, however, left to the Embassy discretion whether any expression of such hopes should be conveyed to the Soviet authorities at this time.

The Embassy did not feel that it would be advisable to make any statement to the Soviet Government which would imply that our Government was greatly concerned that it should adhere to the Provisional International Organization. Statements of this sort have a tendency to cause the Russians to feel that they have got something somebody else wants and that they probably have not put a high enough price on it. This sometimes leads to steps on their part which are quite different from those we wish them to take. In transmitting the final act, the Embassy therefore limited itself to the statement that "the United States Government for its part would welcome participation of the Soviet Government in the Provisional International Organization". A copy of the Embassy's note of May 23⁵ to the Foreign Office is enclosed for the records of the Department, as well as the brief acknowledgement thereto from the Foreign Office dated May 30 and its translation.⁵

In this connection reference is made to Mr. Stokeley Morgan's office memorandum⁵ of May 16 to TRC⁶—Mr. Taft, in which in addition to seeking the above information Mr. Morgan states that the Department "would also be interested in knowing the Ambassador's views as to whether or not the Soviet Government plans to participate in the Provisional International Civil Aviation Organization and also what the possibilities are of receiving, under a bilateral agreement or otherwise, rights for an American air carrier to enter Russia on the proposed route from Helsinki to Leningrad and on to Moscow, with commercial rights at Leningrad and Moscow."

The Embassy has had no indication from the Soviet Government as to its plans to participate in the Provisional International Civil Aviation Organization. However, the Soviet Government refused to participate in the Chicago Conference because certain states "hostile to it" (i.e. Spain, Portugal, Switzerland) had been invited to take part therein.⁷ The Embassy notes that these states are apparently participating members of the Provisional Organization. The participation of the Soviet Government in this organization would thus signify a lack of consistency on its part and would appear to be sufficient reason in the eyes of the Soviet Government for its refusal to join. In addition there would seem to be certain undertakings set forth in Article 13 of the Interim Agreement which, in the view of the Embassy, the Soviet Government might quite possibly object to assuming.

It may be pointed out that no substantive reply has been made to the Embassy's communication of May 23 by June 7, the date (six months after December 7, 1944) on which the Soviet Government,

⁵ Not printed.

⁶ Office of Transport and Communications Policy.

⁷ See note from the Soviet Ambassador dated October 26, 1944, *Foreign Relations*, 1944, vol. II, p. 571.

according to Article 16 of the Interim Agreement (Appendix I), must accept the interim agreement in order to become a member of the council of the Provisional Organization. The Department's instruction of April 16 does not make it clear whether this time limit also applies to the Soviet Union.

With respect to Mr. Morgan's inquiry regarding the possibility of receiving under a bilateral agreement, or otherwise, rights for an American air carrier to enter Russia on the proposed route from Helsinki to Leningrad and on to Moscow, the Embassy doubts that established American air carriers will be permitted to enter the Soviet Union on this or any other proposed route. The Soviet Government has made it sufficiently clear on a number of occasions that air transit over Soviet territory except in exceptional cases would be carried out only by Soviet aircraft. Furthermore, so long as Finland is under an armistice regime⁹ it is not likely that the Soviet authorities will permit United States aircraft to proceed to Helsinki. More likely they will endeavor to connect up American or other lines in Stockholm or some point outside the Soviet Union or Soviet controlled areas.

Respectfully yours,

W. A. HARRIMAN

811.79600/7-545: Circular telegram

*The Secretary of State to Certain American Diplomatic Officers*¹⁰

WASHINGTON, July 5, 1945.

Civil Aeronautics Board, with President's approval, today announced issuance of certificates to three US airlines to operate commercial services as described below.

Pan American Airways: one route from US via Newfoundland, Foynes, London, Brussels, Prague, Vienna, Budapest, Bucharest, Istanbul (with another route sector Vienna-Belgrade-Istanbul), Ankara, Beirut, Baghdad, Karachi (with another route sector Ankara-Tehran-Karachi) to Calcutta. Another route from US via Bermuda and Azores to Lisbon, with one sector proceeding to London and another to Barcelona and Marseille.

American Export Airlines: one route from US via Labrador, Greenland, Iceland, Norway, Stockholm, Helsinki and Leningrad to Moscow. Another route from US via Newfoundland, Foynes, London, Amsterdam, Berlin and Warsaw to Moscow. Also one connecting link from Iceland to London via Glasgow, and another from Amsterdam to Stockholm via Copenhagen.

⁹ For documentation regarding U.S. interest in the Armistice with Finland of September 19, 1944, see *Foreign Relations*, 1944, vol. III, pp. 608 ff.

¹⁰ Sent to 20 American missions; a press release of July 5, 1945, on the subject of this telegram was sent to 26 diplomatic missions in Washington.

Transcontinental & Western Air: one route from US via Newfoundland, Foynes, Paris, Switzerland, Rome, Athens, Cairo, Palestine, Basra, Dhahran to Bombay. Another route from US via Newfoundland, Lisbon, Madrid, Algiers, Tunis, Tripoli, Benghazi to Cairo. Also a connecting link from Madrid to Rome.

Above route patterns are tentative and flexible in the sense that certificates cover countries and general areas, and airlines above authorized may serve other points in their areas after further approval from Board.

In announcing these route decisions the CAB recognizes that establishment these services is dependent on granting of appropriate permission by countries concerned. Inauguration of services also must await availability of four-motored aircraft for commercial operation.

Instructions follow.

BYRNES

800.796/7-1645

The Chairman of the Civil Aeronautics Board (Pogue) to the Secretary of State

WASHINGTON, July 16, 1945.

MY DEAR MR. SECRETARY: As you are aware, we have been convinced for some time that the ability of United States air carriers to conduct an economically sound air service in the foreign field is conditional upon their ability to carry traffic not only between the United States and foreign points but also the so-called "Fifth Freedom" traffic between foreign points located on our long international routes. We have felt that it is of the utmost importance that every effort be made to obtain this right from as many foreign nations as will grant it. Without these rights we doubt that our foreign operations will attain a development commensurate with our position as a leading world power; and without these rights, whatever size our foreign operations may attain, we fear that it will be necessary to support them with subsidies of such size as to constitute a heavy drain on the Federal treasury.

In the period which followed the Chicago Conference we were hopeful that other nations would find it in their interest to adopt our position at that Conference and to accept the International Air Transport Agreement under which the signatories exchanged operating rights without withholding the right to carry "Fifth Freedom" traffic. As you are aware, however, only six of the fifty-four nations present at the Chicago Conference have unconditionally accepted this Agreement and of these only China and the United States can be classed as nations of first importance. It has become evident, therefore, that

we will probably not obtain the right to engage in "Fifth Freedom" traffic on other than a very limited basis under the authority of this Agreement.

The possibility that the International Air Transport Agreement would not gain general acceptance was recognized by the Department and the Board at the time of the Chicago Conference and as a result bilateral agreements providing "Fifth Freedom" rights over specified routes on a reciprocal basis have been offered to many countries, with the hope that each such country would exchange with the United States rights which it felt inadvisable to exchange with the world at large. As the negotiations for these agreements proceed, however, it is becoming increasingly evident that we are by no means sure of being able to make the agreements necessary to the inauguration of this country's international route pattern. We had been hopeful that the economic benefits which an American air service would bring and the right to conduct a reciprocal air service to the United States would be sufficient consideration for the grant of air rights to the United States. Although these benefits are undoubtedly attractive, their attractiveness is apparently not persuasive enough to overcome the reasons which many of these countries have against the carriage by United States airlines of traffic to and from their territories. It should be noted also that a strong factor in the expressed reluctance of those countries which are under British influence—particularly the Near Eastern countries—has been the active effort of the British not only to keep these countries from granting "Fifth Freedom" rights to the United States, but also to delay the granting of any operating rights until British airlines are in a stronger competitive position.

It therefore appears appropriate and necessary to see if there are any other legitimate means at our disposal which we can use to secure the necessary operating rights. In the case of France, which for some months has been reluctant to sign our proposed bilateral agreement, but which at the same time has repeatedly indicated a desire for transport aircraft, the Department has suggested to the Board, and the Board has agreed, to take such joint action as is necessary to make available to the French certain C-54 aircraft on the condition that the French accept the terms of our proposed agreement. We have welcomed this proposal in that it has seemed to us that there should be a close relationship between the satisfaction of French desires and needs, on the one hand, and on the other, the grant by the French of operating rights, including "Fifth Freedom" rights, in favor of our airlines. If the allocation of C-54's to the French can be effectuated, we are very hopeful that it will result in the consummation of the agreement. The Department has also proposed to the Board, and the Board has been happy for the same reason to agree, that certain other C-54's be made available to the Dutch upon the condition that the Dutch with-

draw their reservation to the "Fifth Freedom" provision in the International Air Transport Agreement.

If the Department and the Board are correct in believing that this type of approach will prove persuasive with the French and the Dutch, it is obvious that it can also be used to great advantage with certain other countries which have also expressed a reluctance to grant "Fifth Freedom" privileges in a bilateral agreement. We refer to such countries as Portugal, Belgium, Egypt, Iraq, Iran, Lebanon and Turkey, with which negotiations over bilateral agreements have been in progress for some time. Although these countries may not desire aircraft to the same degree as do the French and the Dutch, we assume that they may be seeking something else from the United States which at this time only the United States can furnish and for which their need is as great as is the need of the French and the Dutch for aircraft. If the French agreement can be concluded by making available to the French a few C-54's, it seems to us that it is equally probable that our agreements with the other countries referred to can be concluded if the satisfaction of some of their needs is also made conditional upon the signing of an agreement.

In like manner, we suggest that if Great Britain should continue over our protest to assert her influence to block our attempts to conclude bilateral agreements, the Department could, to equal advantage, make the satisfaction of certain British needs conditional upon her agreement to cease interfering with our attempts to secure these agreements.

In this connection we wish to make it clear that we are, of course, not suggesting that supplies or services which are furnished those countries for purely relief purposes or for the purpose of prosecuting the war against Japan be withheld for the purpose of concluding the air transport agreements. We do recommend, however, that the filling of the other requirements of the countries referred to be closely related to the conclusion of the bilateral air transport agreements.

We are hopeful that the Department will be able to employ this type of approach on a wide scale so that if it becomes necessary to accept less than "Fifth Freedom" rights in any country, the Agreement will have been concluded only after whatever proper bargaining power we may have with respect to that country has been fully employed.

Sincerely yours,

L. WELCH POGUE

800.796/7-1645

*The Acting Secretary of State to the Chairman of the Civil
Aeronautics Board (Pogue)*

WASHINGTON, August 1, 1945.

MY DEAR MR. POGUE: This refers to your letter of July 16, 1945 on the subject of negotiations with certain countries for bilateral air

transport agreements, and your suggestion that the Department endeavor to conclude such arrangements with unlimited provisions for so-called Fifth-Freedom rights, by utilizing the other requirements of these countries as bargaining power.

The Department fully appreciates your concern with this subject and wishes to assure you that a number of bargaining elements not directly connected with civil aviation were used in the negotiation of bilateral agreements already concluded, and are being used with respect to those now under negotiation. At the same time, the complex nature of this Government's foreign relations makes it difficult and often impossible to relate a *quid pro quo* to each request which the Department makes of a foreign government. Admittedly the cases of Great Britain and France are special problems, and the Board already is aware of some of the steps which are being taken in an effort to work out satisfactory arrangements. However, in the case of most of the other countries with which air transport negotiations are now pending, our so-called bargaining power is not of a nature which would permit this Government to exert economic pressure in order to achieve all of its desires. As a matter of fact, the aggregate weight of this Government's requests with respect to many nations often exceeds the economic assistance which this Government is prepared to make available.

In addition to civil air transport arrangements, the Department must consider a wide range of other matters. The reduction of barriers to international trade; the protection of American interests abroad; more liberal treatment for American exporters by foreign exchange control authorities; the wider dissemination of information; the acquisition of rights for the Air Transport Command and other military agencies; and other objectives of importance are among the many subjects which the Department and its representatives abroad are constantly discussing with foreign governments. By specifically relating each of these requests to other matters this Government would obtain some of its objectives, but it is not unlikely that its bargaining power would be depleted so that other objectives would be unobtainable. Such an approach also would embark this Government on a policy of narrow trading which might well lead to preferential treatment for certain countries and discrimination against others, which would be the very opposite of the policy which the United States has endeavored to foster in the broad field of international commerce.

In a separate reply the Department has commented on the suggestion made in the Board's letter of July 18, 1945,¹¹ to the effect that the proposed financial assistance from the Export-Import Bank in connection with the sale of airport equipment to Turkey be made contingent on acquisition of the unlimited air transport rights which

¹¹ Not printed.

this Government hopes to obtain from that country. The Department will be glad to consider the advisability of relating financial assistance to air transport objectives when it is feasible to do so. However, the views expressed in the Department's letter on the Turkish airport matter are likewise applicable to the Board's recommendation in its July 16 letter that "the filling of the other requirements of the countries referred to be closely related to the conclusion of the bilateral air transport agreements". It is true that many countries have substantial requirements in the United States, but it is equally true that American exporters are able and anxious to supply these requirements. The Board would probably agree that even a threat of withholding such exports would prejudice this country's future foreign markets, and would be indefensible from the standpoint of overall national policy and public opinion.

The Board's letter also mentions the proposal for allocating C-54 aircraft to the French on condition that France accept the terms of our proposed agreement. The Department does not deny that allocation of transport aircraft is an excellent bargaining point in helping to conclude such negotiations, and certainly it would not favor making any of these larger planes available to countries denying reasonable operating rights for United States trans-Atlantic services. The proposed assignment of C-54's to France would, of course, be indirectly related to the air transport negotiations, but while the final objective is perhaps the same, the Department prefers to see any such allocation made as a fulfillment of commitments stated by this Government at the Chicago Aviation Conference, rather as an added inducement or *quid pro quo* for concluding the agreement itself. The latter approach might easily be taken advantage of by other countries to the extent of demanding special favors in any negotiations proposed by this Government, the results of which would soon prove the undesirability of "relating" such matters too closely.

The Board mentions the British efforts "to delay granting any operating rights" to United States air services. The Department is not seriously perturbed over the possibility that the British can or will block this Government's acquisition of landing rights entirely. It is more a problem of obtaining these rights on an unlimited basis. The Board has indicated that it desires full Fifth-Freedom rights in each of the countries with which the Department is now negotiating on this subject. The Department is equally concerned over the reluctance of many countries to grant liberal operating privileges to United States airlines, but it believes the Board will agree that some of these countries are motivated by a sincere desire to protect their own regional traffic. As the Board is undoubtedly aware, the pre-war aviation picture in Europe was characterized by pooling arrangements, balanced

schedules, and other limitations on traffic and frequencies which, in the aggregate, represented somewhat less than the Fifth-Freedom concept which this Government is endeavoring to realize. It also must be remembered that the Five-Freedoms Agreement concluded at the Chicago Aviation Conference allows any participating country to "reserve out" of the Fifth-Freedom entirely.

Despite these and other considerations, and the fact that it is often impracticable or inadvisable for the Department to utilize its bargaining power for the primary purpose of obtaining unrestricted concessions in the air transport field, it is believed that substantial progress is being made. Since December 1944, bilateral agreements with full Fifth-Freedom rights have been concluded with Spain, Sweden, Denmark, Iceland and Ireland;¹² and interim rights have been obtained from Italy. Pending negotiations indicate that several more countries may conclude bilateral arrangements with this Government on the same unlimited basis, and there have been further indications that additional countries might adopt an increasingly liberal view toward the Fifth Freedom. While some of the remaining countries may not see their way clear to granting completely unrestricted Fifth-Freedom rights by the time United States airlines are ready to operate abroad, there is reason to believe that the pressure of public opinion and other factors, coupled with the continuing efforts of this Government, will force a steady trend in this direction.

I wish to reassure the Board that the Department and its representatives abroad are fully aware of the importance of concluding the air transport arrangements on as liberal a basis as possible, and that the Department is utilizing as much bargaining power as is feasible under the circumstances. Needless to say, the Department will be glad to continue its close collaboration with the Board in an effort to achieve our common objectives.

Sincerely yours,

JOSEPH C. GREW

800.796/8-645

The Chairman of the Civil Aeronautics Board (Pogue) to the Director of the Office of Transport and Communications Policy (Taft)

WASHINGTON, August 6, 1945.

MY DEAR MR. TAFT: As we suggested at our recent luncheon meeting, we feel that it is now advisable to reexamine this Government's position with respect to the International Air Transport Agreement adopted for signature at Chicago.

¹² For texts of agreements, see Department of State Executive Agreement Series Nos. 432, 431, 430, 463, and 460, respectively.

To date, as we are informed, only nine nations have accepted the Air Transport Agreement and of these only the United States, China, the Netherlands and Turkey can be classed as nations of first importance in international air transportation. There can, of course, be no assurance that additional nations will accept the agreement. In the meantime you have, of course, been endeavoring to secure bilateral agreements with those other countries where we desire air transport rights. At this moment it seems evident that we should rely for the immediate future upon bilateral agreements and not upon the Transport Agreement. We believe that this is your view as it is ours.

It appears that the Transport Agreement is ambiguous in certain important respects. This is particularly true with reference to the question of whether more than one route is available to the airlines of one signatory for operation to the territory of another. Furthermore, the Transport Agreement contains an "ownership" provision (Article 1, Section 5) which may be too liberal for the taste of some nations. There are other provisions of the Transport Agreement which are not wholly satisfactory. All of these defects taken together, coupled with the very limited acceptance of the agreement to date, have caused us to come to the conclusion that in general this Government should adopt the position that our foreign operating rights should be secured under bilateral agreements. Under such agreements various matters which are ambiguous in the Transport Agreement can be made perfectly clear.

If the Department agrees with this position, it will logically follow that, in addition to bilateral agreements being negotiated with countries which have not signed the Transport Agreement, we should attempt to secure bilateral agreements with those countries which have not accepted, even though they signed the Transport Agreement in all cases where we want air transport rights therein. We hope that the Department will agree with us that this course of action should be followed.

With respect to the countries which have accepted the International Air Transport Agreement we are somewhat concerned over the possibility of misunderstanding which might occur in connection with the question of whether it authorizes the operation of more than one route out from and back to the homeland of each signatory. For example, if the Netherlands should construe this provision of the agreement liberally and should apply under Section 402 of the Civil Aeronautics Act for a permit to operate two direct routes from the Netherlands to this country, much ill will might result if this Government, without having given prior notice, took the position that the agreement authorizes only one such route. One way to minimize the possibility of such a misunderstanding would be to announce to the world at large

at this time what this Government's construction of the agreement may be. Another alternative is the resolution of all problems in the International Air Transport Agreement through the present negotiation of a standard form bilateral agreement with the Dutch which would supersede the multilateral agreement as between the Dutch and ourselves and specifically define the terms of our air transport relationship. We believe this course to be the desirable one in the case of each country which has accepted the Transport Agreement. We suggest that it will be advisable to negotiate such a bilateral agreement with the Netherlands and also with El Salvador at the present time and at a later date with China and the other signatories of the International Air Transport Agreement if it should seem likely that these other nations will wish to designate airlines to operate into the United States.

We will appreciate it if the Department will furnish us with its views on the above matters. If the Department should agree with our conclusions we will immediately prepare the necessary annexes to be attached to the standard form bilateral agreement for negotiation with the governments of the countries referred to.

Sincerely yours,

L. WELCH POGUE

800.796/8-645

The Secretary of State to the Chairman of the Civil Aeronautics Board (Pogue)

WASHINGTON, August 18, 1945.

MY DEAR MR. POGUE: The receipt is acknowledged of your letter of August 6, addressed to Mr. Taft, concerning the International Air Transport Agreement adopted at Chicago.

I am inclined to believe that the intent of the Air Transport Agreement is clear, namely that the freedoms granted under Article 1, Paragraphs 3, 4 and 5 of Section I apply to only one route between any two contracting nations. The language in this respect seems to the Department to be conclusive in that it "relates only to through services on a route constituting a reasonably direct line out from and back to the homeland of the State whose nationality the aircraft possesses". In the Department's concept, therefore, under the Air Transport Agreement the Netherlands would be authorized to operate one route connecting the Netherlands with the United States on a reasonably direct course. It would not obligate this Government to permit, for example, of a line from Amsterdam south to Africa, west to Brazil and north to Miami.

Furthermore, our concept of the term "homeland" would not include the Netherlands East Indies or Curaçao. Even if the Nether-

land authorities should claim at a later date that these territories are under autonomons governments and therefore entitled to enjoy rights under international agreements equally with the mother country, we would, it is believed, be justified in maintaining that they are not autonomous to the extent of being able to enjoy the privileges granted in the Air Transport Agreement unless they themselves became members of the International Civil Aviation Organization and accepted the Air Transport Agreement in the same way that the British Dominions and India are entitled to do so.

There is, of course, no objection to signing a bilateral agreement with a country which has also accepted the Air Transport Agreement. However, the Department does not believe that it is necessary to do so unless there is some advantage to be derived. In the case of the Netherlands it appears to me that if this Government suggests entering into negotiations for a bilateral agreement we shall immediately raise the question of the desire of the Netherland Government to operate services to the United States from the Netherlands East Indies and from Curaçao. If the Board is willing to see those rights accorded in a bilateral agreement, it would probably be desirable to proceed with these negotiations in the near future; but if the Board is not prepared to accord these rights, or either of them, to the Netherlands, then in the Department's opinion it would be preferable not to open the question until compelled to do so.

With respect to the possibility of negotiating bilateral agreements with El Salvador, China and other countries which have accepted the Air Transport Agreement the same reasoning applies. If the Board is prepared to grant the rights which it has reason to believe will be requested by these countries, negotiations might very well be entered into; otherwise, it is believed to be preferable not to raise these questions.

Sincerely yours,

For the Secretary of State:
JAMES C. DUNN

800.796/8-345

*The Secretary of State to the United States Political Adviser for
Germany (Murphy)*

No. 183

WASHINGTON, August 20, 1945.

SIR: A telegram dated August 3, 1945¹⁴ from Assistant Secretary Clayton to Mr. Stokeley W. Morgan, Chief of the Aviation Division of the Department, requested that you be furnished with full information on civil aviation arrangements already negotiated with various

¹⁴ Not printed.

European countries, as well as the Department's program for further negotiations in this field. The following is a summary of arrangements now effective as well as the status or prospects of other negotiations.

Significance of the Chicago Agreements.

Before discussing the civil aviation rights which this Government has obtained or desires to obtain from the various European countries, it may be helpful to give as background a brief description of the various agreements drawn up at the International Civil Aviation Conference which took place in Chicago during the latter part of 1944. There are transmitted herewith one copy each of Department of State publication 2348 entitled *Blueprint For World Civil Aviation*, and Department of State *Bulletin* of December 31, 1944, both of which contain articles describing the work of the conference and the specific agreements. The so-called Two Freedoms Agreement was intended to grant among the participating countries the rights of transit and non-traffic stop, while the so-called Five Freedoms Agreement grants these first two freedoms as well as the right to carry traffic from and to a country whose nationality the aircraft possesses (the Third and Fourth Freedoms), and the right to carry traffic between intermediate countries on the route (the Fifth Freedom). Also forwarded herewith is a mimeographed chart showing which countries have accepted these multilateral Transit (Two Freedoms) and Transport (Five Freedoms) Agreements, as well as the Interim Agreement and Convention.

While a number of countries have signed the Transit and Transport Agreements, it will be noted that not so many have accepted them. Netherlands is the only European country which has so far accepted the Transport Agreement; it made a reservation on the Fifth Freedom, but it is understood that this reservation will be removed shortly. As for the Transit Agreement, Czechoslovakia, Netherlands, Norway, Poland (former government) and the United Kingdom are those European countries which have so far agreed to give the Two Freedom rights to the other countries also accepting this agreement. It will be seen that these agreements are helpful, so far as they go, in getting American civil air routes in operation, but owing to the fact that more countries have not yet accepted them, such rights must be supplemented by other arrangements in the form of bilateral air transport agreements with the countries concerned.

Civil Aeronautics Board's Route Pattern.

On July 5, 1945, with the approval of President Truman, the Civil Aeronautics Board announced its so-called North Atlantic Route Case

Decision ¹⁶ which awarded operating certificates to three United States airlines for routes across the North Atlantic into Europe and the Near and Middle East. Attached hereto is a copy of the Board's press release of that date,¹⁷ together with a map ¹⁸ showing the routes awarded to each of the three American companies. Naturally, the inauguration of these services is dependent on the acquisition of appropriate landing rights in the countries concerned, as well as the availability of suitable aircraft. It will be noted from this map that each carrier is assigned a certain area; that is, the carrier is at liberty to revise its routes in its respective area subject to the approval of the Board and the foreign governments or other authorities concerned. For example, one route shows Pan American Airways operating from Brussels to Praha, but if the company desired to include Munich, for example, it could do so subject to the aforementioned conditions and without the necessity of a public hearing before the Civil Aeronautics Board.

Bilateral Agreements Already Negotiated.

Bilateral air transport agreements were concluded between the United States and the following countries on the dates indicated: Spain, December 2, 1944; Sweden, December 16, 1944; Denmark, December 16, 1944; Iceland, January 27, 1945; Ireland, February 3, 1945; Switzerland, August 3, 1945.¹⁹ With the exception of the agreement with Spain, all of these agreements follow the so-called standard form drawn up at the Chicago Conference. The agreement with Spain was concluded a few days before the close of the Chicago Conference, and although the language is somewhat different from those later negotiated with the other countries mentioned, its provisions have substantially the same effect. All of these bilateral agreements (a copy of each is forwarded herewith) provide for the Five Freedoms, which means that there is no restriction in the agreements prohibiting or curtailing the carriage of traffic to other countries on the route.

The above-mentioned route announcement made by the Civil Aeronautics Board will necessitate a few changes in the route annexes of the agreements with Spain and Sweden, but it is believed that these modifications can be made without difficulty, under the terms of the agreements. The agreement with Denmark was negotiated by the Danish Minister in Washington and therefore it became effective on a provisional basis and is subject to confirmation "by a free Danish Government when such Government shall have been established fol-

¹⁶ For text, see *Civil Aeronautics Board Reports*, vol. 6: *Economic Decisions of the Civil Aeronautics Board, July, 1944-May, 1946*, pp. 319-363.

¹⁷ Not printed.

¹⁸ Not attached to file copy of instruction.

¹⁹ For text of the agreement with Switzerland, see Department of State Treaties and Other International Acts Series No. 1576, or 60 Stat. (pt. 2) 1935.

lowing the liberation of Denmark". The Department has instructed its Mission at Copenhagen to request the present Danish Government to confirm the agreement on a definitive basis.

Countries With Which Further Arrangements Should Be Made.

As will be noted below, draft bilateral air transport agreements are in the progress of negotiation with a number of other European countries. The draft agreements in each case are virtually identical with those already concluded with the countries mentioned above. An exception, of course, is the route annexes which naturally vary with each country. The agreements and the accompanying route annexes are intended to provide full Fifth Freedom privileges for United States airlines, and any counter proposals to include limitations on Fifth Freedom traffic so far have been resisted by the Department. However, a number of countries are reluctant to grant the full Five Freedoms, and a question now under consideration by the Department and the Civil Aeronautics Board is whether this Government should agree to certain restrictions on Fifth Freedom or intermediate traffic as a means of getting United States airlines into operation, or should hold out in an effort to conclude them on the same basis as the aforementioned agreements already negotiated. In following this latter approach, the Department has endeavored to convince the foreign governments that it would be preferable not to incorporate arbitrary restrictions in the agreements at the beginning, and that should regional air services be unduly prejudiced by competition from the United States international trunk line service, such problems could be equitably adjusted as they arise.

The remaining countries in Europe, where satisfactory rights have not yet been obtained in order to realize the Civil Aeronautics Board's announcement of July 5, 1945, are discussed below in alphabetical order.

Austria. The Department plans at an early date to instruct its representative in Vienna ²¹ to explore the possibility of obtaining the appropriate rights for operation of the proposed United States commercial air service through Austria.

Belgium. A draft bilateral agreement was presented in March 1945 to the Belgian Government.²² In the preliminary discussions the Belgians indicated a desire to make reservations on Fifth Freedom traffic, but it subsequently appeared that our representatives were successful in persuading them to leave the matter in abeyance and to negotiate future difficulties as they arose. The Belgians were

²¹ Instruction 79, September 4, 1945, to the United States Political Adviser for Austria, not printed.

²² Draft not printed.

also concerned over what they regarded as a lack of reciprocity in exchange for this Government's request for traffic rights at Leopoldville. The Embassy was then instructed to ignore traffic rights at Leopoldville in the present negotiations, with the thought that these could be negotiated later. In July it appeared that a substantial agreement had been reached on the technical level, but subsequent telegrams from Brussels indicate that the Belgians are now fearful of offending the British, who have made known their objection to unlimited Fifth Freedom privileges. This has created political implications with the result that the matter is being referred to the Belgian Council of Ministers, which already has a rather full agenda of pending matters.

Bulgaria. No commercial stop in Bulgaria by an American airline is contemplated by the Civil Aeronautics Board's route announcement, although Pan American's route into Istanbul transits Bulgaria on the route sectors from both Belgrade and Bucharest. The following is an excerpt from despatch no. 35, June 9, 1945 from the United States Mission at Sophia:²³

"The movements of all aircraft in Bulgaria are now under the strict control of the Allied (Soviet) High Command, and civil and private aviation will have little opportunity of development until the conclusion of a peace treaty and the normalization of Bulgaria's internal and external affairs."

Czechoslovakia. Following the Civil Aeronautics Board's route announcement, a draft agreement was sent to the Embassy at Praha for consideration of the Czech Government.²⁴ No reaction has yet been received.²⁵ The Czechs at one time seemed inclined to accept the Five Freedoms Agreement, and have already accepted the Two Freedoms Agreement.

Finland. It is contemplated that negotiations for the acquisition of landing rights in Finland will be started after the resumption of diplomatic relations between our two governments.²⁶ However, despatch no. 1805 of June 12, 1945 from Moscow makes the following comment: "Furthermore, so long as Finland is under an armistice regime it is not likely that the Soviet authorities will permit United

²³ Despatch not printed.

²⁴ Instruction 33, July 24, 1945; not printed.

²⁵ In its note No. 32.538/IV-3/45, dated September 13, 1945, to the American Embassy, the Czechoslovak Ministry for Foreign Affairs accepted in principle the provisions of the general part of the draft air transport agreement, but expressed reservations as to the annex. Negotiations on the agreement continued throughout the remainder of 1945, and the agreement was signed at Praha on January 3, 1946. For text, see Department of State Treaties and Other International Acts Series No. 1560, or 60 Stat. (pt. 2) 1917.

²⁶ Diplomatic relations between the United States and Finland were established as of midnight, August 31, 1945; for documentation, see vol. iv, pp. 624 ff.

States aircraft to proceed to Helsinki. More likely they will endeavor to connect up American or other lines in Stockholm or some point outside the Soviet Union or Soviet controlled areas."

France. A bilateral air transport agreement (Executive Agreement series 153) between the United States and France became effective on August 15, 1939. Pan American Airways operated a few schedules into Marseille before the war. This agreement provides for an equal number of frequencies, not less than two round trips a week, to be operated by air services of each country. Since the 1939 arrangement is believed to be inadequate for post-war conditions, a draft bilateral agreement following the Chicago standard form was presented to the French Government in March 1945. Since then the French have displayed no eagerness whatever to accept the new bilateral agreement, and very little progress has been made in the actual negotiations. The French officials seem reluctant to enter into any such commitment until they can be assured of operating reciprocal services. In this connection they not only expressed a desire to obtain the latest types of modern four-engine aircraft, but have also suggested pooling arrangements between carriers, which this Government does not favor. The U. S. War Department is assigning 20 DC-4 aircraft to the three American airlines certificated for North Atlantic services, and the Department and the Civil Aeronautics Board made strong efforts to have some of these aircraft assigned to France and a few other European countries on the grounds that this would facilitate the acquisition of landing rights in those countries. However, the War Department has insisted that the 20 DC-4's are to be used almost exclusively for redeployment and cannot be assigned to foreign carriers, so the Department is now exploring the possibility that American manufacturers can offer new four-motored aircraft to foreign airlines during the first part of 1946. If the Department is successful in arranging for French air services to buy suitable transoceanic aircraft in the near future this might help to expedite the conclusion of the bilateral air transport agreement, although the present political atmosphere in France still makes the early conclusion of this agreement uncertain.²⁸

Great Britain. Pre-war arrangements with Great Britain provide for two trans-Atlantic round trips a week to be operated each by Pan American Airways and Imperial Airways (now BOAC). Negotiations with Great Britain for an up-to-date bilateral agreement have not been started. At the Chicago Conference the British Delegation was obviously opposed to the multilateral grant of unlimited

²⁸ For text of Agreement signed at Paris March 27, 1946, and Provisional Arrangement effected by exchange of notes signed at Paris December 28 and 29, 1945, see Department of State Treaties and Other International Acts Series No. 1679, or 61 Stat. (pt. 4) 3445.

Fifth Freedom privileges, and so far the different aviation viewpoints of this country and Great Britain have not been wholly reconciled.

When it became obvious that the British were blocking the efforts of this Government to obtain landing rights in the Near East and other countries, the Department addressed a note to the British Government²⁹ referring to previous undertakings between our two countries on civil aviation matters, and stating that the United States would welcome assurances that the British Government would not oppose present efforts to acquire landing rights for United States commercial air services in the Near and Middle East. Under date of April 26, 1945, the British Foreign Office made a preliminary reply³⁰ to the effect that its Government had no desire whatever to preclude the United States from obtaining landing rights in the Near and Middle East or anywhere else. However, as had occurred in a number of instances, when other governments asked for British views on United States proposals, the British naturally replied by stating the principles upheld by them at the Chicago Conference, which include the grant of Fifth Freedom privileges on a conditional rather than an unconditional basis. In its aforementioned note, the Foreign Office said that a further reply was intended. This was received under date of June 21, 1945,³¹ and said: "His Majesty's Government in the United Kingdom have no intention of opposing the United States Government or any other government in the acquisition of landing rights for civil aircraft in any country. In negotiating with governments for civil aviation landing rights, His Majesty's Government are bound by the agreements reached at Chicago and would of course follow the practice there contemplated and they assume that the United States Government would propose to follow the same procedure". At the time the latter note was delivered to the Department, it was made clear informally that this Government was not satisfied with the British reply, and that the Department had received a number of reports substantiating the obstructionist tactics of the British, including Lord Swinton (former Minister of Civil Aviation). The British now contend that their reference to "landing rights" did not comprehend unlimited Fifth Freedom privileges.

Reports attributed to the British Air Ministry representative in the Middle East indicate that the British have been working on some sort of formula for the allotment of Fifth Freedom traffic in Europe, and that their proposals may be made public at the forthcoming meeting of the Interim Council of the Provisional International Civil Aviation Organization scheduled to convene in Montreal on August

²⁹ Dated April 18, printed in vol. VIII, section entitled "Assurances sought by the United States . . ."

³⁰ See telegram 4239, April 28, 1945, 1 p. m. from London, *ibid.*

³¹ Note No. 312, *ibid.*

15, 1945. An informal letter from Sir William Hildred, Director of Civil Aviation in Great Britain, to Mr. Edward Warner, Vice Chairman of the Civil Aeronautics Board, made some suggestions as to reconciling the British and American differences as evidenced at the Chicago Conference, but his letter indicates that the British have made little, if any, change in their past position.

It is perhaps too early to predict the results of the British elections³² on future British civil aviation policy, particularly regarding the prospects for concluding a satisfactory Anglo-American bilateral air transport agreement at an early date. The Labor Party has not only favored nationalization of transport, but has previously expressed a strong desire for international control of aviation. It is possible that during Assistant Secretary Clayton's visit to London,³³ he may have an opportunity to discuss this matter with British officials and that definite negotiations may be commenced within the near future.

Germany. Series 31 of the State, War and Navy Coordinating Committee, with which you are presumably familiar, has dealt with the problem of European air transport in the transitional period, with particular reference to Germany. The primary emphasis of these draft directives has been placed on military air transport, although SWNCC 31/2/D³⁴ provides that civil airlines should resume and expand their services as soon as conditions permit. It is hoped that arrangements can be made within the very near future to permit those American airlines certificated by the Civil Aeronautics Board to inaugurate the regular commercial services into and through Germany on the routes indicated. It is also hoped that such permission will be granted on a liberal basis, that is, that no restrictions will be imposed on so-called Fifth Freedom traffic. Furthermore, although Berlin is the only port-of-call in Germany on the CAB route pattern, it should be possible for the American air service in this area to include other ports-of-call if deemed appropriate.

Greece. In April 1945 the Embassy at Athens presented a draft air transport agreement to the Greek Government.³⁵ Shortly afterward the Greek authorities advised that they were prepared to grant the Third and Fourth Freedoms, but before giving a final decision on the Fifth Freedom, they desired to obtain the views of other European Governments whose territory would be crossed on the U. S. route serving Greece. The British Government had re-

³² A new Labor government took office July 26, 1945.

³³ Assistant Secretary of State Clayton was in London as a delegate to the Third Session of the Council of the United Nations Relief and Rehabilitation Administration and to talk with British officials about economic problems.

³⁴ Entitled "European Air Transport in the Transitional Period," and dated March 16, 1945; not printed.

³⁵ Draft not printed.

requested the Greeks to delay their reply to the Department's proposal, and reports indicate that the British are influencing the Greeks against granting Fifth Freedom privileges. Upon the announcement of the Civil Aeronautics Board's route decision, the Embassy at Athens was instructed³⁶ to inform the Greek Government of the route pattern. The Embassy was also informed of the aforementioned British note of June 21, 1945³⁷ regarding this Government's efforts to obtain landing rights, and it was suggested that this might be helpful in expediting negotiations. No further information from Athens has been forthcoming.

Hungary. No specific approach has as yet been made by the Department to obtain landing rights in Hungary for U.S. commercial air services although Budapest is a port-of-call on the proposed American route through Central Europe.³⁸

Italy. Aviation landing rights in Italy are somewhat complicated by the overall policy toward that country.³⁹ Some months ago, the Embassy at Rome was asked to sound out the Italian authorities regarding landing rights,⁴⁰ at which time the Italians raised the question of the reestablishment of Italian civil aviation and reciprocal landing rights.⁴¹ Upon the announcement of the Civil Aeronautics Board's route decision, the Embassy at Rome was instructed⁴² to request temporary rights and to inform the Italian Government that the matter of more definite rights and the collateral question of reciprocity should be postponed until the negotiation of the peace treaty. The Italian Government's reply was dated July 24, 1945⁴³ and stated that the Italian Government would be glad to accede to the request for these temporary rights (transit and non-traffic stop in Italian territory and commercial entry at Rome), until such time as it is possible to negotiate a "formal convention". In the same note, the Italian Government expressed the hope that its own internal air services could connect with the proposed American services.

Netherlands. While Netherlands made a reservation on the Fifth Freedom in accepting the Five Freedoms Agreement, it is understood that this reservation will soon be withdrawn, thereby affording American air services unlimited privileges to pickup and

³⁶ Telegram 639, July 5, 1945, 6 p. m., not printed.

³⁷ Not printed.

³⁸ The Representative in Hungary (Schoenfeld) was instructed in telegram 378, September 6, 8 p. m., to approach the Hungarian Government to obtain permission on a provisional or interim basis which would at least allow Pan American Airways to fly over Hungarian territory and to make refueling and emergency stops (811.79600/9-645).

³⁹ For documentation on this subject, see vol. iv, pp. 1323 ff.

⁴⁰ Telegram 354, February 20, 6 p. m., to Rome, *ibid.*, p. 1323.

⁴¹ See telegram 987, April 18, 1 a. m., from Rome, *ibid.*, p. 1324.

⁴² Telegram 1113, July 5, 7 p. m., to Rome, *ibid.*, p. 1326.

⁴³ Despatch 1960, July 24, 1945, from Rome, not printed, but see telegram 2051 from Rome, July 21, noon, *ibid.*, p. 1328.

discharge traffic at Amsterdam. Although it is not essential, it is possible that this Government also will propose a bilateral air transport agreement with the Netherlands.

Norway. A preliminary draft bilateral agreement was discussed with the Norwegian Delegation at the Chicago Conference but it is doubtful if much progress was made while the Norwegian Government was located in London. After the Civil Aeronautics Board's route decision was announced on July 5, a new draft bilateral agreement was forwarded to the Embassy at Oslo for discussions with the Norwegian Government.⁴⁴

Poland. As soon as circumstances permit, the Embassy at Warsaw will be asked to present a bilateral air transport agreement to the Polish Government for consideration.

Portugal. The Portuguese have raised several objections to the draft bilateral agreement presented by the Embassy about March, 1945. One of the points in question is whether U.S. airlines can use Santa Maria Airport in the Azores which was constructed by United States funds, and another question concerns the Portuguese desire to prohibit over-flying Lisbon by American civil aircraft when there is no traffic to be discharged or embarked at that point. The Embassy is endeavoring to persuade the Portuguese to leave these two matters for further negotiation rather than hold up the conclusion of the agreement. The Portuguese also requested a provision in the agreement whereby a "reasonable division" of trans-Atlantic traffic would be made between American and Portuguese airlines in the event the latter operated to the United States. This has been rejected by this Government on the grounds that it would establish a very undesirable precedent. Apart from the foregoing, the major point of contention in the bilateral negotiations revolves around the question of Fifth Freedom traffic, and it is still undetermined whether the Portuguese will be disposed to conclude the agreement without insisting on arbitrary traffic restrictions. The Embassy is endeavoring to persuade the Portuguese Government to omit any such limitations on the grounds that any future traffic problems can be satisfactorily adjusted as they develop.⁴⁵

Rumania. As in the case of Hungary, no attempts have yet been made to obtain commercial landing rights in this country.

U.S.S.R. As you may recall, the Soviet Government declined to send a delegation to the Chicago Conference although it had previously accepted the invitation to participate. During the summer of

⁴⁴ For text of Agreement between the United States and Norway signed at Washington on October 6, 1945, see Department of State Executive Agreement Series No. 482, or 59 Stat. (pt. 2) 1658.

⁴⁵ For text of Agreement signed between the United States and Portugal at Lisbon on December 6, 1945, see Department of State Executive Agreement Series No. 500, or 59 Stat. (pt. 2) 1846.

1944 exploratory conversations on civil aviation were held in Washington with Soviet representatives, at which time the latter gave no encouragement to this Government's proposal that United States civil airlines would operate into the U.S.S.R. Despatch no. 1805 dated June 12, 1945 from the Embassy at Moscow expresses doubt that American air carriers will be permitted to enter the Soviet Union via Helsinki or any other proposed route. The Embassy adds that "the Soviet Government has made it sufficiently clear on a number of occasions that air transit of Soviet territory except in exceptional cases would be carried out only by Soviet aircraft". It is probable that American Export Airlines will make efforts to persuade the Soviet Government to allow its services to enter over the routes proposed by the Civil Aeronautics Board, but such prospects do not appear to be promising in the foreseeable future.

Yugoslavia. In April 1945 a draft bilateral agreement was presented to the Yugoslav Foreign Minister, who indicated a lack of experts in his government who were qualified to deal with the subject. When the Civil Aeronautics Board's route decision was announced on July 5, the Embassy at Belgrade was asked to follow up the matter and report the progress of negotiations. No further information has been forthcoming from Belgrade.

Summary.

While a number of difficulties (such as Fifth Freedom traffic privileges and the availability of transport aircraft) still must be worked out, the Department is hopeful that relatively satisfactory landing rights for United States commercial airlines can be obtained in the not too distant future from such countries as Great Britain, France, Belgium, Greece, Norway and Portugal. It is desirable that similar rights be obtained in countries such as Czechoslovakia, Poland, Finland and Yugoslavia, although it is recognized that these countries may be influenced considerably by the Russian attitude. The Department also hopes that satisfactory commercial privileges can soon be made available with regard to Germany, and your comments on this possibility are requested. Presumably Austria would follow the same pattern although, as in the case of Germany, the Department is uncertain as to the availability of rights of transit and non-traffic stop in the zones under the control of other countries. Hungary, Rumania and Bulgaria may be said to be in the "twilight zone" as concerns the acquisition of necessary landing rights in the near future, and any comments you may wish to make on this situation, as well as the entire subject reviewed above, would also be helpful.

Very truly yours,

For the Secretary of State:
JAMES C. DUNN

740.00119 Council/12-1345 : Telegram

*The Acting Secretary of State to the Ambassador in the Soviet Union
(Harriman)* ⁴⁶

WASHINGTON, December 13, 1945—7 p. m.

2515. The following is suggested for your consideration. In view of the prime importance of the early establishment of American international air services, and in view of the uncooperative attitude recently shown by the Soviet in this connection, it is hoped that an opportunity may develop to discuss the problem with high Soviet officials.

Pan American Airways has been authorized to operate from the US into Germany, thence to Praha, Vienna, Budapest, Belgrade, Bucharest and on to Turkey and the Middle East. Military permission has been obtained for one survey flight now being made by Panam into Germany and Vienna, but Soviet military officials in Budapest and Bucharest have evaded our requests for authorization of this flight, as well as for future operating rights. Matter has been referred to Moscow, but no satisfactory reply has yet been received.

Commercial air rights for US airlines in Central Europe are still indefinite, and Russians do not seem disposed to allow such services to operate through certain countries in this area. Since this permission is vital if Panam is to operate on its designated route from the US to India, it is hoped that some assurance can be obtained from the Soviets that they will not offer further objection to the inauguration of these commercial services.

American Overseas Airlines is also authorized to operate from the US into Berlin, with contemplated extension to Warsaw and Moscow. This company is authorized over another route from Stockholm to Helsinki and Leningrad into Moscow. Polish and Finnish Govts have been approached by our missions with respect to acquisition of suitable commercial landing rights at Warsaw and Helsinki, respectively, but conclusion of these arrangements probably will require Soviet approval. No formal approach has been made by this Govt to USSR for commercial landing rights in Soviet territory, and up to now Soviets have indicated no willingness to allow US air services to enter their territory proper. Perhaps an opportunity will also be presented to discuss granting of reciprocal commercial air rights between US and Soviet, but this does not have the immediate urgency of obtaining appropriate permission for regularly scheduled US services through Central Europe as mentioned above.

ACHESON

⁴⁶ Sent as Seedel No. 1 for the Secretary, who was in Moscow attending the Foreign Ministers' meeting.

FORMULATION OF UNITED STATES POLICY ON THE RESOURCES OF THE CONTINENTAL SHELF AND ON COASTAL FISHERIES

811.0145/11-2844

The Secretary of the Interior (Ickes) to President Roosevelt

WASHINGTON, June 5, 1943.

MY DEAR MR. PRESIDENT: The war has impressed us with the necessity for an augmented supply of natural resources. In this connection I draw your attention to the importance of the Continental Shelf not only to the defense of our country, but more particularly as a storehouse of natural resources. The extent of these resources can only be guessed at and needs careful investigating.

The Continental Shelf extending some 100 or 150 miles from our shores forms a fine breeding place for fish of all kinds; it is an excellent hiding place for submarines; and since it is a continuation of our continent, it probably contains oil and other resources similar to those found in our States.

I suggest the advisability of laying the ground work now for availing ourselves fully of the riches in this submerged land and in the waters over them. The legal and policy problems involved, both international and domestic, are many and complex. In the international field, it may be necessary to evolve new concepts of maritime territorial limits beyond three miles, and of rights to occupy and exploit the surface and subsoil of the open sea. It may, therefore, be important to consider the matter in the negotiation of any treaties of peace which follow the war. In the domestic field, one of the perplexing questions would be that of the respective sovereign and proprietary roles of the Federal Government and of the several coastal States.

I recommend, therefore, that this Department, in collaboration with the National Resources Planning Board, and the Departments of State and Justice now study the many aspects of such an undertaking and submit their findings and conclusions to you as expeditiously as possible. If you should agree, I would undertake to have these Departments and agencies designate representatives to undertake this joint study.

Sincerely yours,

HAROLD L. ICKES

811.0145/11-2844

Memorandum by President Roosevelt to the Secretary of State

WASHINGTON, June 9, 1943.

I think Harold Ickes has the right slant on this. For many years, I have felt that the old three-mile limit or twenty-mile limit should be superseded by a rule of common sense. For instance, the Gulf of Mexico is bounded on the south by Mexico and on the north by the United States. In parts of the Gulf, shallow water extends very many miles off shore. It seems to me that the Mexican Government should be entitled to drill for oil in the southern half of the Gulf and we in the northern half of the Gulf. That would be far more sensible than allowing some European nation, for example, to come in there and drill.

Another case which we have all talked about relates to the shelf in the bend of Alaska. Japanese fishing vessels netted habitually for salmon and crabs twenty-five, thirty or forty miles off shore, catching them on their way to the shores and rivers of Alaska for the purpose of spawning.

Would you agree to setting up a Board as he suggests, with representatives of the State Department, Interior Department, National Resources Planning Board, and the Department of Justice?

F[RANKLIN] D. R[OOSEVELT]

811.0145/367

Memorandum by the Secretary of State to President Roosevelt

[WASHINGTON,] June 10, 1943.

I find that there has already been formed within this Department a committee¹ to study various angles of this very problem.

The setting up of a Board such as the Secretary of the Interior suggests would be entirely agreeable to me. I raise the question whether it might not be appropriate and advantageous to have represented on such a board not only the agencies mentioned in Mr. Ickes' letter and your memorandum but also the Department of the Navy.

C[ORDELL] H[ULL]

¹ A Departmental Committee to study the problems of protection and utilization of, and jurisdiction over, coastal fisheries and other marine resources, was appointed in May, 1943. Under the general supervision of the Assistant Secretary of State, Breckinridge Long, the Committee was composed of Leo D. Sturgeon, Department Representative on the Fisheries Commission, War Production Board, as Chairman; Selden Chapin, Executive Secretary of the Committee on Political Planning; Eugene H. Dooman, Division of Far Eastern Affairs; John D. Hickerson, Division of European Affairs; Joseph F. McGurk, Division of the American Republics; and William W. Bishop, Jr., Assistant to the Legal Adviser (Hackworth).

S11.0145/377

*The Secretary of the Interior (Ickes) to the Secretary of State*²

WASHINGTON, May 23, 1944.

MY DEAR MR. SECRETARY: On June 5, 1943, I wrote a letter to the President, a copy of which I enclose,³ in which I suggested the advisability of laying the ground work for availing ourselves of the natural resources in the Continental Shelf extending from our shores. I recommended that this Department, in collaboration with the Departments of State and Justice, and the National Resources Planning Board, now study the many aspects of such an undertaking and submit their findings and conclusions to the President.

The President has sent me a memorandum dated May 11, which reads as follows: "This is approved except that we must remember that the National Resources Planning Board has met an untimely death.⁴ Go ahead with State and Justice."

At your earliest convenience, I would like to discuss the matter with you or whomever you may wish to designate, with a view toward initiating a study of the international problems involved.

Sincerely yours,

HAROLD L. ICKES

S11.0145/377

The Secretary of State to the Secretary of the Interior (Ickes)

WASHINGTON, June 28, 1944.

MY DEAR MR. SECRETARY: I refer to your letter of May 23, 1944 and to Mr. Stettinius's⁵ acknowledgment of June 9⁶ regarding the possibility of availing ourselves of the natural resources in the Continental Shelf extending from our shores.

I have asked Assistant Secretary Long to discuss with you or others designated by you, at your or their convenience, the matter of initiating a study of the problems involved.

Sincerely yours,

CORDELL HULL

S11.0145/11-2844

Memorandum by the Assistant Secretary of State (Long) to the Secretary of State

[WASHINGTON,] September 23, 1944.

MR. SECRETARY: Attached hereto are two drafts⁷ in definition of policy.

² Copy obtained from the files of the Department of the Interior.

³ *Ante*, p. 1481.

⁴ The National Resources Planning Board, established on July 1, 1939, was abolished on August 31, 1943; *Federal Records of World War II*, vol. 1: *Civilian Agencies* (Washington, Government Printing Office, 1950), pp. 96-97.

⁵ Edward R. Stettinius, Jr., Under Secretary of State.

⁶ Letter of June 9 not printed.

⁷ These drafts were the same as Annexes 1 and 2 to the memorandum by the Acting Secretary of State and the Secretary of the Interior, pp. 1491 and 1492, respectively.

One concerns the natural resources of the subsoil and seabed of the continental shelf.

The other concerns fisheries in certain areas of the high seas contiguous to the coast of the United States.

You will recall that the President requested you to designate someone to discuss these two questions with the representative of Secretary Ickes. You designated me and Secretary Ickes designated Assistant Secretary Straus.

We met in the Department of State. Mr. Straus brought with him his specialists⁹ and sitting with me were Mr. Bishop (Le), Mr. Charles Rayner,¹⁰ Mr. Ribble,¹¹ Mr. Boggs,¹² and Mr. Sturgeon.¹³

We came to a general understanding. A subcommittee was appointed to define that understanding and the subcommittee agreed and the persons attending the conference all agreed on the text.

Before issuing it to the Department of Interior with our approval I considered it advisable to present it to the Policy Committee.

On August 3 it was presented to the Policy Committee and was therein discussed and was approved by the Policy Committee with the suggestion made at the instigation of Mr. Hawkins¹⁴ that the matter be referred to ECA¹⁵ for further study.

With the exception of ECA, there has been no difference of opinion in the Department.

We have had a number of long conferences with ECA and much time has elapsed since the date of your letter to Secretary Ickes, June 28, 1944,¹⁶ and the date of the Interdepartmental meeting with the representatives of the Department of Interior, July 15, 1944.

ECA is in practical agreement with the texts of the two proposed decisions which are attached hereto and lie immediately under this memorandum.

While in agreement on the texts, ECA has certain ideas which seem *not to be germane* to the present purpose, which is an agreement with the Department of Interior on a question of policy.

ECA desires to attach to a statement on policy an expression of how that policy shall be pursued. In other words, ECA raises an

⁹ Representatives of the Department of the Interior included Mr. Straus; Fowler Harper, Solicitor of the Department of the Interior; Joel Wolfsohn, Assistant Commissioner, General Land Office; William Wrather, Director of the Geological Survey; and Ira Gabrielson, Director of the Fish and Wildlife Service.

¹⁰ Charles B. Rayner, Acting Chief, Petroleum Division.

¹¹ Frederick D. G. Ribble, Executive Assistant to Assistant Secretary of State Long.

¹² Samuel W. Boggs, Chief of the Division of Geography and Cartography.

¹³ Leo D. Sturgeon, Adviser on Fisheries, Office of Economic Affairs.

¹⁴ Harry C. Hawkins, Director, Office of Economic Affairs.

¹⁵ Office of Economic Affairs.

¹⁶ *Supra*.

administrative problem, which in my opinion is not related to the decision of policy. The question of how the policy shall be executed will be up from time to time all through the future as the policy is considered for use.

Mr. Hackworth¹⁷ has been over these drafts and has approved them and has expressed himself as in agreement with me to the effect that the additional information furnished by ECA is irrelevant to the present purpose. As above stated, the various other interested divisions of the Department have been consulted and they were all represented on the Policy Committee when the matter was rather fully discussed before that Committee.

Mr. Acheson¹⁸ is absent but I believe has no reservation materially at variance with the decision of the Policy Committee or with my own decision or that of the officers of the Department of Interior.

Under the circumstances and considering the length of time elapsed and the pressure from the Department of Interior to come to some decision I lay the matter before you and ask your approval.

B[RECKINRIDGE] L[ONG]

811.0145/11-2844

Memorandum by the Office of Economic Affairs

[WASHINGTON,] September 23, 1944.¹⁹

There is attached a proposed statement of policy²⁰ for the United States with respect to the extension of fisheries conservation to certain areas of the high seas.²¹ This statement consists of three parts: a brief preamble, which sets forth the considerations leading to the policy decision and which for some purposes might perhaps be considerably expanded; a proposal with respect to jurisdiction over fisheries, and a proposed statement of a policy of equality in the exercise of this jurisdiction.

Strictly speaking, the procedures by which such a policy, if adopted, might be put into effect, are not properly a part of the statement of policy. Nevertheless, so significant a departure from past practices under the law of nations cannot be wholly separated from the method by which it might be put into effect. There is therefore attached to

¹⁷ Green H. Hackworth, Legal Adviser, Department of State.

¹⁸ Dean G. Acheson, Assistant Secretary of State.

¹⁹ This date is established by a marginal note indicating that the documents were received from ECA on September 23.

²⁰ Not printed.

²¹ A similar statement of policy on the natural resources of the sea bed and subsoil of the Continental Shelf was also submitted on the same day by the Office of Economic Affairs (not printed).

the statement of policy a brief statement with respect to possible procedures.^{21a}

[Annex 1]

Subject: Possible Procedures for Gaining International Understanding with respect to this Jurisdiction

The adoption of the foregoing policy with respect to fisheries by the United States could, if proper precautions were not taken, lead to misunderstanding, suspicion, and opposition on the part of many other countries. There are a number of procedures by which this might be overcome and the active concurrence of the countries mainly affected could be enlisted. The main consideration is a negative one: that the United States should not announce this policy without some form of international consultation with at least the countries that would feel themselves interested in and affected thereby. One such procedure might be for the United States Government to circulate the proposed statement of policy to a number of governments which have in the past had fishing interests in areas covered by the statement. In the case of countries having major interests in these areas, such as Canada, Newfoundland, the United Kingdom, the Soviet Union, Mexico, Ecuador, et cetera, the United States would regard the concurrence of these other countries as essential before proceeding to any announcement or action. Other countries whose interests are more minor or which for special reasons may not be in a position to express a firm position, should be informed of the proposed action and their comments invited, although it would not necessarily follow that complete concurrence would be regarded as an indispensable precedent to taking any action.

[Annex 2]

Subject: Possible Procedures for Gaining International Understanding with respect to this Jurisdiction

The adoption of the foregoing policy with respect to natural resources of the sea bed and subsoil of the continental shelf by the United States could, if proper precautions were not taken, lead to misunderstanding, suspicion, and opposition on the part of many other countries. There are a number of procedures by which this might be overcome and the active concurrence of the countries mainly affected could be enlisted. The main consideration is a negative one: that the United States should not announce this policy without some form of

^{21a} Annex 1. A statement of possible procedures for gaining international understanding with respect to jurisdiction over the natural resources of the sea bed and subsoil of the Continental Shelf is printed as annex 2.

international consultation with at least the countries that would feel themselves interested in and affected thereby. One such procedure might be for the United States Government to inform other governments (not necessarily all governments, but at least all major governments and all having an appropriate interest in the subject) of its intentions

- a. to assume jurisdiction over the natural resources of the seabed and subsoil of the continental shelf contiguous to its coasts, and
- b. to inaugurate negotiations with neighboring states

in accordance with the principles of the statement set forth above. The communication to the other governments should indicate that before taking these steps the United States desires to receive the comments of these governments, and that it will give attentive consideration to those comments.

811.0145/11-2844

Memorandum by the Acting Secretary of State to the Assistant Secretary of State (Long)

[WASHINGTON,] November 28, 1944.

MR. LONG: I have given the most careful consideration to the file which you sent to me on October 30th on the subject of Natural Resources of the Continental Shelf and on Fisheries.²²

I feel that the drafts which you and Mr. Hackworth have prepared should be considered as the Department's policy and transmitted as such to the Department of Interior.

While I feel that the considerations presented in the ECA memorandum are not without merit, I am inclined to believe that the additional suggestions dealt with in the ECA draft could more properly be handled by a series of administrative decisions and announcements.

I will appreciate it if you would be good enough to transmit the approved drafts to the Secretary of the Interior.

E[DWARD] S[TETTINIUS]

²² This file contained the following items: (1) All documents printed on pp. 1481-1487; (2) quotations on the right of the United States with respect to fisheries in which its nationals have participated off the coasts of the United States, not printed; and (3) a summary report on the Fisheries Committee of the Department of State, not printed.

811.0145/11-2844

The Secretary of State to the Secretary of the Interior (Ickes)

WASHINGTON, December 5, 1944.

MY DEAR MR. SECRETARY: Reference is made to your letter of May 23, 1944, regarding the resources of the continental shelf off the coasts of the United States, and to Secretary Hull's reply dated June 28, 1944, in which Assistant Secretary Long was designated to represent this Department in discussions between the Department of State and the Department of the Interior regarding the policy to be followed by the United States in this matter. In the discussions the Department of the Interior was represented by Assistant Secretary Straus, aided by the Solicitor, Mr. Harper, and the Assistant Commissioner of the General Land Office, Mr. Wolfsohn.

As the result of such discussions the representatives of the two Departments have agreed upon two proposed decisions, one with respect to the natural resources of the subsoil and sea bed of the continental shelf, and the other with respect to fisheries in certain areas of the high seas contiguous to the coast. Copies of the texts of these decisions, which meet with the approval of the Department of State, are enclosed.²³ If you likewise approve them it is proposed that they be submitted to the President for his approval. In case they receive the approval of the President, it is proposed to make them known informally to representatives of the foreign governments primarily concerned, and to learn the reactions of those governments, before steps are taken to make the decisions public.

Sincerely yours,

EDWARD R. STETTINIUS, JR.

811.0145/11-2844

The Secretary of State to the Secretary of the Interior (Ickes)

WASHINGTON, December 19, 1944.

MY DEAR MR. SECRETARY: Reference is made to your letter of December 7, 1944,²⁴ regarding the resources of the continental shelf adjacent to the coasts of the United States, with which you transmit a memorandum for our joint submission to the President.

I am happy to learn that we are in complete agreement on the drafts of the proposed policy with respect to the natural resources of the sea

²³ See annexes 1 and 2 to memorandum by the Acting Secretary of State and the Secretary of the Interior to President Roosevelt, January 22, 1945, pp. 1491 and 1492, respectively.

²⁴ Not printed; Mr. Ickes gave his complete approval to the proposed policy drafts. He enclosed in his letter a proposed memorandum to President Roosevelt which was incorporated in the final draft as the first paragraph. (811.0145/11-2844)

bed and subsoil of the continental shelf and with respect to fisheries off our coasts.

I note that you suggest that we join in submitting to the President a memorandum, together with drafts of proclamations to be prepared in this Department. However, I am doubtful as to the desirability of submitting proclamations at the present time. I have noted from the last sentence of your letter, that we are in agreement that in case the proposed policy meets with the President's approval, it should be made known informally to the other governments primarily concerned, and the reactions of those governments learned, before steps are taken to make the policy public. It seems to me that it would be preferable to obtain the President's approval, and to take the matter up with the other governments, namely Canada, Newfoundland, Mexico, U.S.S.R., Great Britain, and Cuba, before submitting proclamations. This procedure, it seems to me, would more likely keep the other governments in a favorable frame of mind.

As you are aware, the subject of such jurisdiction over fisheries has for more than eighteen months been under informal discussion with Canada,²⁵ and has more recently been taken up informally with Newfoundland and Mexico.²⁶ Representatives of Canada and Newfoundland have contributed materially in the formulation of the statement on fisheries; and it is believed that both these countries will be in substantial agreement with the policy and may welcome an opportunity to take joint action with us, or to take unilateral action concurrently with ours, in making known their adherence to the proposed principles. From the standpoint of our foreign relations with Canada, especially, it would be desirable to avoid public unilateral action by our Government until the Canadian Government has been informed of the action proposed.

²⁵ On June 14, 1943, the Canadian Assistant Under Secretary of State for External Affairs, Hugh Llewelyn Keenleyside, proposed to the Department of State that new principles for the protection of coastal fisheries be worked out between the two countries. After informal discussions within the Department, and with representatives of Canada and Newfoundland, a meeting was held in Ottawa January 24-25, 1944, to consider a common policy toward coastal fisheries jurisdiction. Technical discussions followed on February 17-18 culminating in an all-day meeting at the Department of State on February 19 under the chairmanship of Joseph C. Grew. Further discussions were postponed due to the decision to formulate a unilateral policy under the auspices of the Departments of State and of the Interior.

²⁶ An Informal Joint Mexican-American Commission on International Fisheries was established in December, 1943. Under the chairmanship of Ira N. Gabrielson, the committee included E. Dana Durand, U.S. Tariff Commissioner; Cmdr. Rigoberto Otál Briceño, Jefe, Dirección de Pesca e Industrias Conexas, Secretaría de Marina; and José Lorenzo Cossio of the Secretaría de Relaciones Exteriores. Two meetings were held in 1944: the first in Mexico City in early April, and the second in Washington in mid-September. During the latter meeting, a recommendation was made that both countries undertake joint action to preserve coastal fisheries.

Consequently, I suggest that we submit to the President a joint memorandum along the lines of the one attached.²⁷

Sincerely yours,

EDWARD R. STETTINIUS, JR.

811.0145/3-3145

*Memorandum by the Acting Secretary of State and the Secretary of the Interior (Ickes) to President Roosevelt*²⁸

WASHINGTON, January 22, 1945.

Subject: Resources of the Continental Shelf and Coastal Fisheries

Pursuant to your direction in June 1943, the Departments of State and of the Interior have been giving study to methods whereby the United States may, within the general framework of the principles of international law, assert jurisdiction over the important fisheries and other natural resources of the waters, sea bed and subsoil of the continental shelf contiguous to our coasts. As a result of these studies, the two Departments have agreed upon the attached formulae, one with respect to the resources of the sea bed and subsoil of the continental shelf and the other with respect to fisheries in certain areas of the high seas contiguous to the coasts. The effect of the adoption of these formulae will be to assert jurisdiction and control over the mineral and other resources under the sea bed of the continental shelf, and to assert a policy of establishing conservation zones for the protection of coastal fishery resources. These zones are to be controlled and regulated exclusively by the United States in areas where only our nationals have developed and maintained fishing activities on a substantial scale. In areas where legitimate fishery activities have been developed and maintained by nationals of other countries, their rights are safeguarded and such countries are permitted to join in the regulation and control. The right of other countries to establish similar conservation zones off their shores in accordance with the same principles is conceded.

In view of the important bearing of this policy upon our foreign relations it is proposed, in case you approve the attached statements of policy, to make them known informally to representatives in Washington of the other governments whose interests may be concerned and whose concurrence is desirable, namely, Canada, Newfoundland, Mexico, U.S.S.R., Great Britain, and Cuba, and to learn the reactions of those governments, before any steps are taken to give publicity to the policy. This appears particularly appropriate in view of the fact that the Department of State, with the collaboration of the Department of the Interior, previously had given joint consideration with Canada

²⁷ *Infra.*

²⁸ Approved by the President on March 31, 1945.

and Newfoundland to a policy for the regulation and control of coastal fisheries. The representatives of those countries have contributed materially to the thought embodied in the statements of policy, and their concurrence in the policy is highly desirable because of our common fishery interests. The subject has also been brought informally to the attention of Mexican representatives and their favorable view was indicated. It is believed that in the case of Canada and Newfoundland, at least, there is substantial agreement and it is possible that those countries would appreciate an opportunity to take joint action with us, or to take action of their own concurrently with ours, to adopt the proposed policy. With respect to the resources of the subsoil and sea bed, however, there have as yet been no corresponding discussions with other governments.

Within a period of two months from the date of your approval and after consultation with the foreign governments concerned, the necessary documents will be submitted for signature and promulgation by you. In view of the past interest of Congress in this question, as manifested in a number of legislative proposals, you may wish to consider the advisability of formal or informal communication with the Congress or with some of its leaders prior to the issuance of any proclamations.²⁹

JOSEPH C. GREW
Acting Secretary of State
HAROLD L. ICKES
Secretary of the Interior

Approved: FRANKLIN D. ROOSEVELT

Date of Approval:

Mar. 31, 1945

[Annex 1]

Subject: Proposed Decision with Respect to Fisheries in Certain Areas of the High Seas

In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it

²⁹ In the proposed draft memorandum of December 19, 1944, for President Roosevelt (not printed), the final paragraph began: "When the reactions of the foreign governments concerned have been learned, a decision can be made regarding the steps which might be taken to make the policy public, such as the issuance of proclamations." Mr. Ickes, in a letter to the Secretary of State on January 4, 1945 (not printed), suggested a different course. "In the interest of expediting this project," he wrote, "might it not be desirable to obtain a decision from the President on all questions of substance prior to the proposed consultation with other governments? This is particularly important in connection with the timing of the public declarations of policy which, I think, should come at the earliest practicable moment. The point could be met by minor revisions in the last paragraph together with a line for the approval of the President and the date of such approval." (811.0145/1-445) The Acting Secretary of State gave his approval in a letter dated January 23, 1945.

as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale: Where such activities have been developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which all fishing activities shall be subject to the regulation and control of the United States and may when conditions warrant be limited to the United States. Where such activities have been legitimately developed and maintained by nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to the regulation and control of, and may when conditions warrant be limited to, the United States and such other states. The right of any state to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right to their free and unimpeded navigation are in no way thus affected.

[Annex 2]

Subject: Proposed Decision with Respect to Natural Resources of the Subsoil and Sea Bed of the Continental Shelf

Having concern for the urgency of conserving and prudently utilizing its natural resources, the Government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control. In cases where the continental shelf extends to the shores of another state, or is shared with an adjacent state, the boundary shall be determined by the United States and the state concerned in accordance with equitable principles. The character as high seas of the waters above the continental shelf and the right to their free and unimpeded navigation are in no way thus affected.

811.0145/5-1145

Memorandum by the Acting Secretary of State to Mr. William Phillips, Special Assistant to the Secretary of State

[WASHINGTON,] April 24, 1945.

MR. PHILLIPS: If you concur in Mr. Hackworth's recommendations in the appended memorandum of April 11³⁰ with reference to the recent policy regarding coastal fisheries and the natural resources of the continental shelf, already approved by Mr. Dunn and Mr. Butler,³¹ it will be helpful if you will have a talk with Mr. Dooman and ask him to undertake the responsibility for the consultations with the interested governments under the general direction and supervision of yourself in the absence of Mr. Dunn. In the case of Mexico and Cuba, it would, of course, be expected that there would be close cooperation with Mr. Butler in the absence of Mr. Rockefeller.³²

J[OSEPH] C. G[REW]

811.0145/4-2645

Memorandum of Conversation, by Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

[WASHINGTON,] April 26, 1945.

Mr. Mahoney³³ called today at my request.

I first expressed regret that there had been unexpectedly long delay in resuming the friendly discussions between officers of the American and Canadian Governments concerning our common interests in the general field of international fisheries. Since the interruption of these discussions last summer,³⁴ the interested agencies of this Government had occupied themselves with the formulation of a basic fishery policy, the general character of which was known to the Canadian Government; a basic policy had now been agreed upon and would in due course

³⁰ Not printed; it recommended that Eugene H. Dooman, Special Assistant to Assistant Secretary of State Dunn, be assigned responsibility for consultations with foreign governments. It was further suggested that the political officer charged with responsibility for relations with the respective countries would assist Mr. Dooman. (811.0145/8-345)

³¹ George H. Butler, Chief of the Division of River Plate Affairs, served as Acting Director, Office of American Republic Affairs. Mr. Butler gave his consent to Mr. Dooman's assignment on April 24. Mr. Dunn had concurred on April 20.

³² Nelson A. Rockefeller, Assistant Secretary of State.

³³ Merchant Mahoney, Counselor of the Canadian Embassy. J. Graham Parsons, Assistant Chief of the Division of British Commonwealth Affairs, was present at the conversation.

³⁴ See footnote 25, p. 1489.

be promulgated. Before announcing the policy, it was the desire of this Government that other interested Governments be made acquainted with it and thus be given an opportunity to study the policy and adopt it or otherwise appropriately associate themselves with this Government in the matter. It was, therefore, our intention early next week to supply the text of the fishery policy, along with a brief explanatory statement, to the British, French, Soviet, and other interested European and Latin American Governments. Having regard, however, to the close collaboration thus far maintained between the American and Canadian Governments with respect to international fisheries, we thought it proper to communicate the text to the Canadian Government before communicating it to any other Government. It was our hope that the Canadian Government could see its way clear to adopt the policy and to make efforts parallel to our own toward adoption of the policy by other interested countries.

I added that we also have had preliminary informal conversations with the Mexican Government and that we expected to hand tomorrow the text of the policy statement to the Mexican Embassy.³⁵

In handing the text ³⁶ to Mr. Mahoney, I also gave him a copy of the longer explanatory statement prepared by Mr. Bishop.³⁷ I said that we did not propose to supply this statement, in the first instance at any rate, to any of the European countries.

Mr. Mahoney said that he would today inform his Government of the substance of my remarks and forward to Ottawa the papers I had given him. He wished, however, to say that the political position in Canada at the present moment was not favorable to any early action on this matter by the Canadian Government: the Prime Minister and other members of the Cabinet are now in San Francisco³⁸ and, further, a general election is to take place early in June. He could

³⁵ Mr. Dooman and John W. Carrigan, Chief of the Division of Mexican Affairs, conferred with Carlos Chapoy Vidaurre, Third Secretary of the Mexican Embassy, on April 27. Texts of the proposed decisions regarding coastal fisheries and the subsoil and sea bed of the Continental Shelf along with explanatory statements were presented at that time. Additional texts were sent by the Acting Secretary of State to the Ambassador in Mexico (Messersmith) on May 1 as enclosures to instruction 7362, not printed. According to this instruction, the Mexican representative was informed that memoranda on fisheries and the Continental Shelf had been given to the Canadian Government but that conversations on the Continental Shelf "were to be held in this respect with the Government of Mexico only and that this Government trusted that the Government of Mexico would find it practicable and possible to adopt a similar policy." (811.0145/5-145)

³⁶ See annex 1 attached to the memorandum by the Acting Secretary of State and the Secretary of the Interior to President Roosevelt, p. 1492.

³⁷ *Post*, p. 1496.

³⁸ The United Nations Conference on International Organization was held in San Francisco from April 25 to June 26.

not, therefore, hold out any great hope of any decision being taken by the Canadian Government before the general elections.

I then told Mr. Mahoney that there was another matter which we would be glad to have him bring to the knowledge of his Government.

This Government has also determined upon a policy which would assert jurisdiction over the mineral resources of the continental shelf. We assumed that this would not be of direct interest to Canada. It was however, a matter of considerable importance to the United States. Oil wells have been in operation for some time off the coast of California and in the Gulf of Mexico, and recent technological advances permit of drilling in waters of great depth. Although we were not aware of any areas off the coasts of Canada which could be exploited, it seemed to us that the adoption by Canada of a fishery policy similar to our own would make it desirable for the Canadian Government to know of our position in respect to another matter relating to jurisdiction beyond territorial limits. It would, of course, be most gratifying to us if the Canadian Government could see its way clear to going along with us also on this latter policy.

I then handed Mr. Mahoney the text of the policy statement³⁹ and the pertinent explanatory statement.⁴⁰ He said that he would forward these papers also to Ottawa with appropriate comment.⁴¹

Mr. Parsons informed Mr. Mahoney that Mr. Atherton⁴² had been requested to call this afternoon at the Department of External Affairs and to make a statement with regard to fisheries along the lines just made to Mr. Mahoney.

E[UGENE] H. D[OOMAN]

811.0145/4-2645

Memorandum by the Assistant Chief of the Division of British Commonwealth Affairs (Parsons)

[WASHINGTON,] April 26, 1945.

After handing original copies of the attached papers to Mr. Mahoney of the Canadian Embassy this afternoon, Mr. Dooman and I discussed how to follow up with the Canadians.

³⁹ See annex 2 attached to the memorandum by the Acting Secretary of State and the Secretary of the Interior to President Roosevelt, p. 1492.

⁴⁰ *Post*, p. 1499.

⁴¹ The four documents were also transmitted by the Acting Secretary of State to the Consul General at St. John's, Newfoundland (Hopper), on May 10, with the request that they be handed to the Newfoundland Commissioner for Natural Resources, P. D. H. Dunn.

⁴² Ray Atherton, American Ambassador in Canada.

I suggested that about the middle of next week Mr. Dooman give me a progress report on his talks with representatives of other governments and request me to have Mr. Atherton pass it along to External Affairs with a further request for favorable action. Mr. Dooman agreed to this and added that it might be well to put into Mr. Atherton's mind the thought that if the Canadian Government felt it would be victorious in the June 11 elections and if it thought it would move out on the fishery policy afterwards, we might be able to arrange postponement of publicity on the new policies until after that date.

[Annex 1]

Explanatory Statement on the Protection and Conservation of Coastal Fisheries

The Government of the United States, recognizing that it has a vital interest in fishery resources contiguous to its coasts and having in mind that the inadequacy of present arrangements for the protection and perpetuation of coastal fisheries constitutes a potentially disturbing element in the relations of states, has carefully examined the possibilities of improving the jurisdictional basis of conservation measures and international cooperation in this field. In so doing it has concluded that :

(1) The fisheries are essential both to the coastal communities which are dependent upon them for a livelihood and to allied and related industries which furnish employment to substantially large populations.

(2) Progressive development of new methods in fishing, utilizing the factory ship, newer types of vessels and technical devices, modern refrigeration facilities, and the like, contribute to intensified exploitation over wide areas. In important instances coastal fisheries are seriously exposed to unregulated exploitation and depletion, thus creating general anxiety for their future among the people whose economic welfare and security depend upon them. In consequence a clear need has arisen for an improved basis for the regulation and protection of fisheries in the high seas contiguous to the coasts.

(3) Equity and justice require that natural resources which have been built up by systematic conservation and self-denying restricted utilization, together with the industries based upon them, be protected and reserved from destructive exploitation by interests which have not contributed to their growth and development.

(4) The fisheries differ in species, abundance, and other characteristics, from sea to sea and area to area; regulatory measures having as their object the conservation of fishery resources must be diversified and adapted to conditions peculiar to each region, with due regard to the special rights and equities of the coastal state and of any other state which has participated in the fishery of the region. Regulation and control of coastal fishery resources should therefore be treated on a regional basis.

(5) Regulatory arrangements for a particular fishing area or region should be made among the states whose continued use of or relative proximity to the affected resources gives them the interest and intimate knowledge necessary for wise and effective control, and cannot achieve full success unless made applicable to all persons and vessels of whatsoever nationality engaged in fishing therein.

The Government of the United States has concluded that fishery regulation confined to the narrow extent of territorial waters has become inadequate for the protection of the coastal fisheries as a whole; and that important fishery resources may become depleted unless a basis for the extension of protective jurisdiction for a reasonable distance beyond territorial waters is found and adopted. Accordingly, the Government of the United States considers that its policy concerning the jurisdictional status of coastal fisheries should be as follows and that such a policy would be in keeping with the realities of the situation:

In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale: Where such activities have been developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which all fishing activities shall be subject to the regulation and control of the United States and may when conditions warrant be limited to the United States. Where such activities have been legitimately developed and maintained by nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to the regulation and control of, and may when conditions warrant be limited to, the United States and such other states. The right of any state to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right to their free and unimpeded navigation are in no way thus affected.

The Government of the United States believes that, in the circumstances set forth in this statement, there exists the right and obligation to protect both the resources affected and the established interests therein. The general principle here involved was given expression by Secretary Hull in 1938 in a statement relative to the Alaska fisheries, as follows:

"It must be taken as a sound principle of justice that an industry such as described which has been built up by the nationals of one country cannot in fairness be left to be destroyed by the nationals of

other countries. The American Government believes that the right or obligation to protect the Alaska salmon fisheries is not only overwhelmingly sustained by conditions of their development and perpetuation, but that it is a matter which must be regarded as important in the comity of the nations concerned.”⁴³

The foregoing policy is based upon the premise that reasonable and just bases for the exercise of jurisdiction over the fisheries of an area of the high seas in the vicinity of the coasts of a state may be found in the following factors: (a) proximity to the coasts of the state; (b) the development and maintenance of well-established fishing activities on a substantial scale by a state's nationals; (c) the absence in that area of any well-established fishing activities on the part of nationals of states other than those seeking to exercise such authority; and (d) the existence of established conservation practices, or the need for such practices, in relation to the fisheries of the area in question.

In referring to the development and maintenance of fishing activities by a state's nationals the emphasis is upon the nationality of those conducting the fishing enterprise, rather than upon occasional individuals employed on vessels of some nationality other than their own. It should be noted that the statement of policy is applicable only to areas in which fishing activities have been or in the future may be developed and maintained on a substantial scale; other areas remain unaffected.

The statement of policy declares that fishing activities within the conservation zones established when all the conditions are met, “may when conditions warrant be limited to”, the United States, or to the United States and the other states joining in the establishment of the zones, as the case may be. Although the jurisdiction asserted extends so far as to permit the limitation of fishing activities to the states having the right to establish the conservation zones, when those states deem such action necessary, the Government of the United States does not contemplate that the establishment of conservation zones under this policy will effect any general exclusion from all such zones of all fishing enterprises of nationalities other than of the United States and the other states establishing the zone.

Upon consideration of the more important high seas fisheries in which the United States has a present or potential interest, it is evident that in each fishery only a limited number of countries, often only one or two, have any real or considerable interest. In case the states having a real interest in each fishery agree upon and establish a regime of conservation and regulatory control for that fishery, it is believed that such conservation efforts should have a good chance for success

⁴³ This statement appeared first in telegram 309, November 22, 1937, to the Ambassador in Japan, *Foreign Relations*, 1937, vol. iv, pp. 763, 768. The text of the telegram was released to the press on March 25, 1938 (Department of State *Press Releases*, March 26, 1938, p. 412).

and that other states would have no valid reason for objection to the measures taken by the states primarily concerned.

Under the policy the rights of all states which have taken any substantial part in the fishery are preserved. It is not intended to disturb in any way well-established or historic fishing activities which have been habitually carried on by nationals of other states. In areas where such activities have been carried on, the cooperation of such states with the United States in the control and regulation of the fisheries is contemplated. In like fashion, the Government of the United States expects that other governments which may adopt similar policies will respect the established interests of American fishing activities off their coasts.

No extension of territorial waters is embodied in the policy, but rather the establishment of clearly defined conservation zones in areas of the high seas contiguous to the coasts. Such areas would retain their legal character as high seas. The freedom of their use for navigation and purposes other than fishing would remain unaffected. The adoption of these measures looking solely to the conservation and economic utilization of marine resources is not to be regarded as in conflict with the general principles of international law, and especially those rules relating to navigation and other aspects of the freedom of the seas.

The Government of the United States is prepared to cooperate with any interested government in making practical application of the principles set forth above. It would welcome the opportunity to join with other governments in the working out of necessary arrangements for the determination and establishment of conservation zones in waters of common concern. Such a procedure would afford a practical basis for the conservation and utilization of high seas coastal fisheries, with fairness and justice to the coastal state and to other established fishing interests, and the Government of the United States would welcome the adoption by other governments of a similar policy as a substantial step toward this general objective and toward the improvement of the bases of international cooperation in the fisheries field.

[Annex 2]

Explanatory Statement on the Proper Utilization and Development of Natural Resources of the Subsoil and Sea Bed of the Continental Shelf

The Government of the United States, aware of the long-range world-wide need for new sources of petroleum and other minerals, holds the view that efforts to discover and make available new supplies of these resources should be encouraged. Its competent experts are

of the opinion that such resources underlie many parts of the continental shelf off the coasts of the United States, and that with modern technological progress their utilization is already practicable or will become so at an early date. Oil wells are now in operation beneath the waters of the Gulf of Mexico and off the California coast, while mines extend under the sea from the coasts of England, Chile, and elsewhere.

The utilization and development of the natural resources of the subsoil and sea bed beneath the high seas cannot proceed with assurance, however, in the absence of recognized jurisdiction over such resources. As a result these resources will not in fact be put to practical use until a definite government policy with respect to the jurisdiction under which operations will be carried on has been made known. There is a natural reluctance to make the necessary investments, and to install the expensive structures and machinery required for wells or mines, until there is reasonable assurance of title to the resultant products and of necessary governmental protection. In certain places off the coasts of the United States the beginning of operations awaits only this step. Recognized jurisdiction over these resources is also required in the interest of their conservation and prudent utilization when and as development is undertaken. In view of present needs, and of the availability of technological means for utilizing the resources beneath the shallow seas outside territorial waters, it is believed that the jurisdiction over such resources should be defined without delay.

Accordingly, the Government of the United States considers that its policy with respect to the jurisdictional status of the natural resources of the subsoil and sea bed of the continental shelf off its coasts should be as follows:

Having concern for the urgency of conserving and prudently utilizing its natural resources, the Government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control. In cases where the continental shelf extends to the shores of another state, or is shared with an adjacent state, the boundary shall be determined by the United States and the state concerned in accordance with equitable principles. The character as high seas of the waters above the continental shelf and the right to their free and unimpeded navigation are in no way thus affected.

The foregoing policy is based upon the premise that the exercise of jurisdiction over the natural resources of the subsoil and sea bed of the continental shelf by the contiguous state is reasonable and just in view of the following factors: (a) the continental shelf may be regarded on geographic and physiographic grounds as an extension of

the land mass of the coastal state and thus naturally appurtenant to it; (b) these resources often form part of a pool or deposit extending seaward from within the state and their utilization may affect resources therein; (c) the effectiveness of measures which may be adopted to utilize or conserve these resources would be contingent upon cooperation and protection from the coastal state; (d) self-protection compels the coastal state to keep close watch over activities off its shores which are of the nature and relative permanence necessary for utilization of resources of the subsoil and sea bed of the continental shelf; (e) prudent conservation and practical utilization of these resources are dependent upon a clear governmental policy defining their jurisdictional status; and (f) the government of the country to whose shores the resources are contiguous is clearly the logical government to exercise jurisdiction and control over these resources.

It is believed that no foreign state would have reason to object to utilization and conservation by the United States of undersea mineral resources within a reasonable distance of its coasts. No oil wells, mines, or similar installations are operated off the coasts of the United States by foreign enterprises. Therefore, a clear distinction may be drawn between steps taken for the protection of coastal fisheries, in which recognition must be given to established fishing activities and interests of nationals of one country off the coasts of another country, and measures which may be adopted with a view to protecting undersea mineral resources contiguous to the coast.

In the exercise of its right of self-protection and as a matter of national defense, the United States could not view without serious concern any attempts by a foreign Power or the nationals thereof to exploit the resources of the sea bed or subsoil of the continental shelf off the coasts of the United States at points sufficiently near the coast to impair or endanger the security of the United States, unless such activities were undertaken with the approval of the Government of the United States. The relative permanence of the structures required for the extraction and utilization of petroleum or other mineral resources of the continental shelf would make such operations a matter of concern to the coastal state. This becomes evident in the light of the possible utilization of such installations as potential bases, refueling depots, and the like.

For many years, in some cases for centuries, certain states have claimed the right to the control and exclusive exploitation of sedentary fisheries on the sea bed of the high seas in proximity of their coasts; and these claims appear to have become established by acquiescence and to be recognized by other states. Such claims extend to oyster beds, pearl banks, chank fisheries, sponge fisheries, coral, and the like. Such rights are understood to be asserted off Ceylon and India, off

Bahrein, off Ireland, off Tunis, and in other parts of the Mediterranean, off the coasts of Australia, and elsewhere. States have likewise long been recognized to have the right to erect lighthouses, or to keep lightships permanently anchored, in locations well outside their territorial waters.

The foregoing examples indicate that as a matter of international law a state may acquire by occupation and contiguity rights of the land beneath the high seas, provided that the freedom of navigation is not thereby impaired. The rationale of the open sea being free and forever excluded from occupation on the part of any state is that it forms an international highway connecting distant lands and securing freedom of communications and commerce between states separated by the sea. There is no reason for extending this concept of the freedom of the high seas to the sea bed and subsoil beneath its bed. In the case of the sea bed and subsoil there is no reason to apply either the theoretical argument that occupation is impossible because it can take place only with respect to a determined thing, or the practical argument that the freedom of the waters of the open sea is essential to the freedom of intercourse between states.

The recognition of special jurisdictional and property rights in particular areas of the bed or subsoil of the high seas for the long-accepted purposes of sedentary fisheries or for the utilization of mineral resources does not conflict with the common enjoyment of the freedom of navigation. This statement of policy regarding the conservation and economic utilization of the natural resources of the sea bed and subsoil of the continental shelf off the shores of the United States contemplates no general extension of territorial waters and no assertion of jurisdiction over or interference with foreign vessels navigating the high seas. It is recognized that such utilization of the sea bed and subsoil resources should not be allowed to result in pollution of the sea by oil or other noxious substances, that unreasonable interference with navigation as a result of structures erected on the bottom or anchored in place must be avoided, and that all due precautions should be taken, by the use of lights and other appropriate devices, to prevent dangers to navigation. So long as these precautions are taken it would seem clear that the general benefit resulting from the orderly utilization of valuable undersea mineral resources must be regarded as outweighing other considerations.

This statement of policy is expressed in terms of the continental shelf off the coasts of the United States. As is well known, the continental shelf extends seaward for varying distances off the shores, and in most places terminates in a fairly definite "drop off". The continental shelf is usually defined as that part of the undersea land mass adjacent to the coast, over which the sea is not more than 100

fathoms (600 feet) in depth. Although the term "continental shelf" may be something of a misnomer in connection with islands, the policy is intended to apply in the shallow waters around this nation's islands as well as off the continental United States. At the present time, methods of utilizing the natural resources of the sea bed and subsoil are such that operations would be confined to much shallower areas than the maximum of 100 fathoms.

There are obviously situations where the continental shelf off the coasts of the United States is shared by an adjacent state, and in such cases it will be necessary to work out the boundary between the resources appertaining to the United States and to its neighbors, when the utilization of such resources becomes imminent. In certain locations the continental shelf extends from United States territory to the territory of a foreign country on the other side of a portion of the high seas. In such cases, likewise, the determination as to which resources will fall to each country will become necessary. The appropriate division would appear to be a proper matter for settlement between the countries immediately interested, upon a fair and equitable basis, as the utilization of undersea resources progresses. In as much as it would appear that for some time to come installations will be comparatively near shore and that there will be little practical necessity for delimitation, it would seem that this may be left until some future time when a wise and fair solution may be found in the light of the actual needs.

811.0145/5-445

Memorandum by the Acting Secretary of State and the Secretary of the Interior (Ickes) to President Truman

WASHINGTON, April 30, 1945.

Subject: Resources of the Continental Shelf and Coastal Fisheries

Shortly before his death President Roosevelt approved the attached memorandum ⁴⁴ which submitted to him formulae prepared by the Departments of State and of the Interior.

The effect of the adoption of these formulae will be to assert jurisdiction and control over the mineral and other resources under the sea bed of the continental shelf, and to assert the policy of establishing conservation zones for the protection of coastal fishery resources. These zones are to be controlled and regulated exclusively by the United States in areas where only our nationals have developed and maintained fishing activities on a substantial scale. In areas where

⁴⁴ Memorandum by the Acting Secretary of State and the Secretary of the Interior to President Roosevelt, January 22, 1945, p. 1490.

legitimate fishery activities have been developed and maintained by nationals of other countries, their rights are safeguarded and such countries are permitted to join in the regulation and control. The right of other countries to establish similar conservation zones off their shores in accordance with the same principles is conceded.

President Roosevelt also approved the following program of procedure: First, discussions with Canada, Newfoundland, Mexico, U.S.S.R., Great Britain, and Cuba to learn the views of these Governments before any steps should be taken to give publicity to the policy, and an effort to obtain their concurrence in the policy. Second, the report of the results to the President and the preparation of necessary documents for his signature. Third, a discussion between the President or, if he should prefer, the Secretaries of State and Interior, or both, with appropriate members of the House and Senate before releasing the documents.

May we have your instruction as to whether you approve the course outlined and wish the two Departments to proceed? ⁴⁵

JOSEPH C. GREW

I recommend reaffirmation by you of the policy approved by President Roosevelt in the attached memorandum and I urge that the Secretary of State be instructed to proceed promptly to consult the remaining foreign governments concerned in order that the original two months' schedule be met and appropriate documents submitted to you on May 31, 1945.

HAROLD L. ICKES

811.0145/5-945

Memorandum of Conversation, by Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

[WASHINGTON,] 9 May, 1945.

Sir George Sansom ⁴⁶ called this afternoon at my request.

I handed Sir George the text of the policy decisions with regard to coastal fisheries and the continental shelf, along with brief explanatory statements.⁴⁷ Sir George read through the papers very rapidly and re-

⁴⁵ At the end of this document appear the following queries and opinions: the handwriting is apparently that of President Truman. "What effect on resources up to the 3 mile limit? Does this recognize State control to low tide? Federal control should exist beyond low tide I think." Almost the same phraseology was repeated in a memorandum of May 4, 1945, from President Truman to the Acting Secretary of State, not printed.

⁴⁶ Adviser to the British Ambassador, with rank of Minister.

⁴⁷ Copies of the texts, with explanatory statements, were forwarded by the Acting Secretary of State to the Ambassador in the United Kingdom on May 11. In telegram 3666, May 10, to London, the Department requested that Raymond Gushue, Newfoundland Commissioner, be informed that copies of the texts were being sent to the Newfoundland Commissioner for Natural Resources and to the Canadian Government (811.0145/5-1045).

marked that they appeared to concern themselves primarily with the conservation aspect of both the fisheries and the mineral resources of the continental shelf. I said that that was quite correct. I gave Sir George an account of the recent improvements in the technique of drilling for oil, and I said that we would have to anticipate today the possibility of foreign nations engaging in operations in the Coast [Gulf?] of Mexico and off the coast of California. It was not our desire to reserve the resources of the continental shelf to nationals of this country any more than it was the policy of the United States to exclude foreigners from participating in the exploitation of the mineral resources of the United States itself. Our primary concern was to assert the necessary control over such operations off the coasts of the United States to guard against the depletion of our mineral resources and to regulate, from point of view of security, the activities of foreigners in proximity to our coast.

I went on to say that I was not quite certain whether the principles set forth in our continental shelf paper would be applicable in waters off the coast of the United Kingdom, but I believe that it would be of interest for the British to study in connection with conditions off the coast of certain territories in which there was a strong British interest, especially in the Arabian peninsula.

I explained to Sir George that we believed it highly desirable, before publicly adopting the continental shelf policy as well as the coastal fisheries policy, to provide the British Government with an opportunity to study the two documents. We sincerely hoped that the British Government would find it to its advantage to take action concurrently with this Government along the lines which we proposed to take. I did not know precisely when or how the two policies would be established, but I thought it likely that something would be done during the course of the next month or two.

Returning to the coastal fisheries matter, I reviewed at some length the inadequacies of existing concepts in respect to fisheries for the purpose of conserving our fishery resources. I referred to the increasing use of such fishing techniques as factory ships, and I described at some length the importance attached by some countries to fisheries, not as a means for providing their populations with an important food, but as an operation calculated to improve their international trade position. I also described at some length the efforts of the British Government to set up an international fishery convention for the entire North Atlantic. I said that we did not participate in the conference at London in 1943,⁴⁸ as it was our view that any scheme for conservation covering a large number of fisheries, with their

⁴⁸ For the Final Act of this Conference, see British Cmd. 6496, Misc. No. 5 (1943): *Final Act of the International Fisheries Conference, London, 22 October 1943*.

differing needs, would be ineffective. Further, we were not convinced that any safeguards set up to conserve the fishery resources of the North Sea would stand up against the desire of the impoverished peoples of Europe for a nourishing protein food obtainable without foreign exchange. If then the North Sea fisheries became depleted, there would be considerable likelihood of the European countries turning to the fisheries off the coast of North America. I emphasized that it was not our intention to interfere in any way with the established interests of European countries in the fisheries on this side of the Atlantic: in fact it was our desire to respect those interests. On the other hand failure to set up today proper safeguards against excessive exploitation of the fisheries might well result in the eventual loss to the entire human race of a valuable food resource.

I explained finally to Sir George that it would not be possible for us to lay before him a full explanation of the reasons which entered into the making of our decision. I had no doubt that study on the part of the British Government of the materials which we were providing him today would raise a number of questions, and we would be prepared to respond to those questions to the best of our ability. Sir George said that he was not competent to express any opinion on the matter, but that he hoped to send the papers forward to London by air within the next day or two. He would at the same time urge his Government to give the matter immediate and careful study with a view to giving us some indication of its position in the matter.

811.0145/5-1245

Memorandum of Conversation, by Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

[WASHINGTON,] May 12, 1945.

Mr. Gromov⁴⁹ called this afternoon at my request.

I handed Mr. Gromov a copy of the proposed decision with regard to coastal fisheries and suggested that he read it before I made an explanatory statement. Mr. Gromov read the paper and asked whether Congress would enact a law placing the proposed policy into operation. I replied that it had not as yet been decided how the proposed policy would be established, but so far as I knew no thought had been given to the possibility of doing so by legislation. I added that perhaps the explanation which I proposed to give him would put the matter into a clear perspective.

I said that this Government had for some time been giving thought to various conditions which might adversely affect the fishery re-

⁴⁹Anatoli B. Gromov, First Secretary of the Soviet Embassy. Merritt N. Cootes of the Division of Eastern European Affairs was also present.

sources in international waters off the coast of the American Continent. We had in mind recent improvements in the technique of fishing, such as factory ships, and we were somewhat concerned over the probability of a rapid depletion of the fishery resources of Europe. We have been expecting increased pressure on the fishery resources on this side of the Atlantic, and also on this side of the Pacific, and after thorough study of the problem the interested agencies of this Government had agreed upon a concept which was designed to promote the conservation of these resources.

Mr. Gromov asked whether we intended to assert sovereignty over waters beyond the three mile limit and if so how we proposed to do it. I replied that it was important for me to emphasize that it is not our intention to assert sovereignty beyond the three mile limit, but merely to assert control over fishing operations in certain areas inclusive of the known fishing grounds and such grounds as might be developed hereafter. I referred to the fact that the Soviet Government itself asserts control over waters between the three mile limit and the fourteen mile limit, but it was not my understanding that the Soviet Government had asserted sovereignty over those waters. Further, it was not our intention to exclude from the prescribed conservation areas the nationals of those countries that had either a historic or legal interest in the fisheries. On the contrary, the proposed policy decision was designed to safeguard such interests. However, we did expect nationals of other governments to conform to the same fishing regulations as those which American fishermen would be required to observe.

I explained to Mr. Gromov that the paper which I handed him was not to be regarded at the present moment as an official decision of the American Government, but rather as an indication of a decision which I hoped would be taken within the next few weeks. We believed that it would be in line with the general concepts of comity to acquaint friendly governments with our line of thinking prior to the taking of any definitive action. I requested, therefore, that Mr. Gromov would make this point clear to his Government and at the same time communicate our request that if the Soviet Government should think well of the proposed decision it would see its way clear to taking action concurrently with this Government.

I next handed Mr. Gromov a copy of the proposed decision with regard to mineral resources in the continental shelf, which I requested him to read. After Mr. Gromov had read the paper, I referred briefly to recent advances in drilling techniques and other improvements in the technology of mining for oil. I adverted to the oil wells that have been in operation off the coast of California and in the Gulf of Mexico, and I said that there was no reason now why it would not be possible for drilling to be carried out through great

depths of water and at substantial distances from the coast. I said the American people had never adhered to the view that the natural resources within the jurisdiction of the United States were available exclusively to the American people. The fact is that foreigners are permitted to operate mines within the United States on same conditions as citizens of this country. Similarly, it was not our intention to reserve the resources of the continental shelf exclusively to citizens of the United States. On the other hand, it was important that we should take necessary precautions against the draining of pools of oil within the United States by operations carried on at some distance from the coasts of this country. Furthermore, it was important that we should have some measure of control, from point of view of international security, over the operations of foreigners in close proximity to our shores.

I explained that here again the proposed policy should not be regarded at this time as a definitive statement of American policy, but that it was proposed by some appropriate means to establish the principles set forth in the paper within the next few weeks. It was also our opinion that the adoption by the Soviet Government of a similar policy would be in the interest of the Soviet Union and we therefore hoped that the Soviet Government would see its way clear to taking action concurrently with the proposed action of this Government.

Mr. Gromov asked whether we had approached other foreign governments along the lines of the approach which I had been making. I replied that we had. I said that in respect of the fisheries, we had been in close consultation with the Canadian Government for a substantial period of time and that we had also had informal discussions with the Mexican Government. We had already advised several other governments of our proposed decisions and were in the process of approaching others, and I named the various governments referred to.

Mr. Gromov then asked if we proposed to invite foreign governments to enter into a convention which would embrace our proposed policy decision. I replied that so far as I knew, it was not our intention, at least in the first instance, to propose the conclusion of any such convention. Perhaps at some future date it might be desirable to consider some such procedure. I added that there had been some thought given in both official and private quarters in the United States of the desirability of proposing to the Soviet Government, after the conclusion of the war in the Pacific, a joint study of fishing conditions in the Bering Sea with a view to an agreement delineating our respective fishing areas. Mr. Gromov said that he did not believe that there were any extensive fishing operations by Soviet nationals

in the Bering Sea. I remarked that we had received a number of indications of fairly extensive operations in the waters referred to by Soviet citizens, and that it seemed to us desirable to have a survey made as soon as practicable and before conditions had become somewhat crystallized.

Mr. Gromov said that he would appropriately inform his Government of the observations that we had made and would forward at his earliest convenience the various papers which we had handed him. In conclusion he asked when we intended to promulgate our new policies. I replied that I could not give him any definite indication for the reason that the time set would depend in considerable measure on the character of the responses and comments to be made by the various foreign governments approached. For that reason I suggested that it would be extremely helpful if he could procure at an early date some expression of his Government's views.

811.0145/5-1545

*Memorandum by Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn), to the Assistant Secretary of State (Acheson)*⁵⁰

[WASHINGTON,] May 15, 1945.

MR. ACHESON: I am obliged to trouble you again with regard to the "Resources of the Continental Shelf and Coastal Fisheries" papers.

The memorandum⁵¹ which you prepared (attached) was signed by Mr. Grew and endorsed by Mr. Ickes, and, along with the papers approved by Mr. Roosevelt was submitted by Mr. Grew to the President on April 30. Mr. Grew, when returning the papers to me a week or so ago, authorized me to proceed with discussions with the missions in Washington of other interested governments. He said that the President had handed the papers to him at a cabinet meeting and, in so doing, had expressed verbally his approval of the policy papers.

The President did not, however, give any directive with regard to discussions with appropriate members of the House and Senate.

Will you be so good as to indicate what should be done, in the light of the circumstances above set forth, in the matter of discussions with members of the House and Senate?

E[UGENE] H. D[OOMAN]

⁵⁰ Marginal notation by Mr. Dooman: "The questions raised by the President are being examined by Justice and Interior. I believe that a test case is soon to be brought into the courts." Mr. Dooman refers to the case, *U.S. v. California*, 332 U.S. 19, pp. 42-50.

⁵¹ Dated April 30, p. 1503.

811.0145/6-1545

Memorandum by Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn), to Mr. William Phillips, Special Assistant to the Secretary of State

[WASHINGTON,] June 15, 1945.

MR. PHILLIPS: The memorandum submitted to President Roosevelt and approved by him on March 31, 1944 [1945] contemplated that the statements of policy should be made known informally to those governments "whose concurrence is desirable, namely, Canada, Newfoundland, Mexico, USSR, Great Britain, and Cuba." Conformably to the directive issued by the Acting Secretary on April 24, 1945, copies of the policy statements on coastal fisheries and continental shelf were handed to representatives of the Missions in Washington of the following countries on the dates indicated.

Canada	April 26
Mexico	April 27
United Kingdom	May 9
*Netherlands	May 10
*Norway	May 11
*France	May 11
Soviet Union	May 12
*Iceland	May 15
*Denmark	May 16
*Cuba	May 16
*Portugal	May 17

There has been no definitive reply from any one of the countries. The Department has been in close touch with the Canadian Government during the formulation of the coastal fishery policy and it may therefore be assumed that failure to hear from the Canadian Government may be explained by the elections recently held in Canada.

Our records indicate that in handing copies of the papers to the representatives of the Missions above listed, it was made clear in each instance that it was our expectation to make public the proposed policy statements "in the near future, possibly in the middle of June."

With reference to the statement in the memorandum submitted to the President that there should be promulgation of the documents "within a period of two months from the date of your approval after consultation with the foreign government concerned", it is believed that the following quotation from the Secretary's letter of December 19, 1944 to the Secretary of the Interior will indicate the character of the "consultation" that there was then contemplated.

"From the standpoint of our foreign relations with Canada, especially, it would be desirable to avoid public unilateral action by our

*Coastal Fisheries Policy only. [Footnote in the original.]

Government until the Canadian Government has been *informed* of the action proposed.”

The importance of informing the Canadian Government was later enlarged to include the countries mentioned in the previous quotation from the memorandum submitted to the President. Along with the countries mentioned, a number of other countries have been informed on the coastal fishery policy.

There appears to be some serious misconception of the character of the two policies. The coastal fishery policy is *not* designed to safeguard exclusive U.S. utilization of the fisheries off our coast: on the contrary, it calls for the making of agreements with countries whose nationals have hitherto operated in the respective conservation zones. In connection with the continental shelf policy, I believe that the following quotation from the memorandum of my conversation with the British Minister ⁵² will tend to keep the matter in accurate perspective:

“It was not our desire to reserve the resources of the continental shelf to nationals of this country any more than it was the policy of the United States to exclude foreigners from participating in the exploitation of the mineral resources of the United States itself. Our primary concern was to assert the necessary control over such operations off the coasts of the United States to guard against the depletion of our mineral resources and to regulate, from point of view of security, the activities of foreigners in proximity to our coast.”

With reference to the suggestion that was made elsewhere that President Roosevelt was not directly interested in the two policies mentioned, it may be of interest to you to note the memorandum from President Roosevelt to the Secretary of State dated June 9, 1943, a copy of which is attached.⁵³

EUGENE H. DOOMAN

811.0145/6-1545

Memorandum by Mr. John H. Morgan, Acting Chief, Division of Northern European Affairs, to Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

[WASHINGTON,] June 15, 1945.

MR. DOOMAN: With reference to the proposed declaration of policy concerning coastal fisheries discussed with the Icelandic Minister, Mr. Thor Thors, on May 15,⁵⁴ Mr. Thors today informed me that he had just received a cable from his Government stating that while it was in agreement with the general principles of the new policy there were

⁵² Dated May 9, p. 1504.

⁵³ *Ante*, p. 1482.

⁵⁴ Memorandum of conversation not printed.

certain details with regard to its application which the Icelandic Government was not sure without further study were favorable to Icelandic interests. The Government, therefore, desired to discuss this matter further with Mr. Thors on his return to Iceland. Mr. Thors is flying to Reykjavik on June 21 and hopes that it may be possible to give us a definitive answer by the end of the month. He states the cable received by him did not specify the details concerning which the Icelandic Government has doubts.

Mr. Thors stated that in the circumstances he did not intend to address a note to the Department on the subject at this time but that if Mr. Dooman had any suggestions or wished to discuss the matter further he was, of course, at Mr. Dooman's disposal.

JOHN H. MORGAN

811.0145/6-1845

The Counselor of the British Embassy (Wright) to Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

Ref: 1852/4/45

WASHINGTON, June 18, 1945.

DEAR MR. DOOMAN: On the 9th of May you handed to Sir George Sansom (who has since left for the United Kingdom) two documents entitled (1) Proposed Decision with respect to Fisheries in Certain Areas of High Seas and (2) Proposed Decision with respect to Natural Resources of the Sub-Soil and sea bed of the Continental Shelf. You explained to Sansom that these documents represented policies agreed upon by the United States Government and that they were to be published in about one month's time, but that it was desired to give His Majesty's Government the opportunity of commenting on them first.

I have now received instructions from the Foreign Office who, while making no comment on document (2), are much concerned about the proposed publication of document (1) which, it is anticipated, would have serious repercussions on fisheries in north-western European waters. While the principle of control of off-coast fisheries by the coastal State, or States, might meet the needs of fisheries in the Western Hemisphere, the promulgation of this principle at the present time is considered likely to spread confusion in European fisheries, where the claims of individual States to off-coast fisheries would gravely impair the position of the United Kingdom industry, which obtains the bulk of its catches from waters situated nearer to the coast of other countries than to those of the United Kingdom. His Majesty's Government would be glad of more time to consider the complications likely to arise and would therefore prefer that publica-

tion by the United States Government should not take place or, at the least, should be postponed as long as possible.

If the United States Government considers it essential to make an announcement on the subject, it is hoped that they may agree to refrain from any public espousal of the principle of control by the coastal State, relying instead upon the *de facto* control which the geographical position of the United States enables that Government to exercise. In short, while agreeing with the idea of regional as opposed to global, regulations of fisheries, His Majesty's Government would much prefer the emphasis to be laid on adherence to the principle of the three-mile limit and to the principle of international, as opposed to national, control of fisheries outside that limit. This would avoid emphasising the preponderant control which any one State might be able to obtain under the principle embodied in the proposed announcement.

An additional reason advanced by the Foreign Office for postponing a public announcement is that His Majesty's Government hope shortly to convene a conference of the European fishing countries to consider a plan for the conservation of fish stocks in the North Sea by restricting the total tonnage of fishing vessels. This plan might well be stultified, if certain European countries receive any encouragement towards claiming a controlling interest in the fisheries near their coasts. It is possible that this conference might be timed to coincide with the resumption of the London Fisheries Conference of 1943.

I hope to be able to let you have very shortly a more detailed statement of the position taken by His Majesty's Government in this matter.

Yours sincerely,

MICHAEL WRIGHT

811.0145/6-1945

The Cuban Chargé (Barón) to Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

WASHINGTON, June 19, 1945.

MY DEAR MR. DOOMAN: I refer to my letter of May 22,⁵⁵ regarding the "proposed decision with respect to fisheries in certain areas of the high seas" and have the pleasure of enclosing herewith the opinion of the Cuban Government, which I have just received from the Ministry of State in Havana.

As you will see, my Government is willing to accept the proposed decision on fisheries put forward by the Government of the United

⁵⁵ Not printed; Mr. Barón informed Mr. Dooman that he had forwarded the proposed decision to Havana (811.0145/5-2245).

States in order to preserve and protect the fishing resources along its coast.

Yours sincerely,

JOSÉ T. BARÓN

[Enclosure]

OPINION OF THE GOVERNMENT OF CUBA WITH REFERENCE TO THE
PROPOSED DECISIONS OUTLINED BY THE GOVERNMENT OF THE UNITED
STATES RELATING TO FISHING

"First: the Government of Cuba accepts in all respects the proposed decisions which should be adopted with reference to fisheries in certain areas of the high seas, cooperating in *all* of them with the Government of the United States in order to preserve and protect the fishing resources and internal security of those along her coasts.

"Second: understands that in establishing the conservation zones explicitly set aside through agreements between States, the Fishery Department should be counted upon, acting jointly with a Nautical Officer of the National Navy, to propose the parallels or boundaries which should be set for same when placed under regulation.

"Third: also believes that the Government of the United States, when establishing its zones of protection and conservation in those areas of the high seas contiguous to her coasts, should take into consideration the historical fact firmly established by fishers in boats under the Cuban flag, who from time immemorial, and now under the protection of Article 6 of the General Fishing Law, and 17 of the Regulations for its execution, obtain products of their fisheries outside of our waters, working with soundings, and who extend their fishing trips to the coast of the Gulf from Cape Romano to Cape San Blas within territory of the United States, including the Dry Tortugas, at a distance varying between 10 and 20 miles from the Southern Coast of the State of Florida; as well as between Cabo Catoche and Islas Mujeres in Mexican Territory."

811.0145/6-1845

Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn), to the Counselor of the British Embassy (Wright)

WASHINGTON, June 20, 1945.

DEAR MR. WRIGHT: I am greatly obliged to you for your letter of June 18, 1945, by which you were so good as to send me an account of the views of the Foreign Office with regard to our paper "Proposed Decision with respect to Fisheries in Certain Areas of High Seas".

I look forward to receiving from you the more detailed statement to which you refer in the last paragraph of your letter.

There are one or two observations in your letter which move me to wonder whether the Foreign Office may not be under some misapprehension with regard to the purposes and operations of our proposed policy.

Reference is made in your letter to the effects which "the principle of control of off-coast fisheries by the coastal state, if applied in the North Sea", might have on the United Kingdom fishing industry which, as you say, obtains the bulk of its catches from waters situated nearer to the coast of other countries than to those of the United Kingdom. It appears to be the belief of the Foreign Office that, if our doctrine were applied, the fisheries would be controlled by the state to which the waters were contiguous.

We contemplate assertion of control only "where such [fishing] ⁵⁶ activities have been developed and maintained by its [United States] ⁵⁶ nationals alone." Even in such cases, we would not contemplate the exclusion in principle of nationals of other countries.

In all other cases, that is to say, where there have been well-established fishing activities by nationals of other countries, we contemplate the conclusion of agreements between the United States and the other participating countries. We believe that, in all instances in which there exist established interests of other countries, our proposed policy would support in the most emphatic and effective possible manner the principle of international, as opposed to national, control of fisheries beyond territorial waters. We believe that the interests of each state fishing in areas contiguous to the coasts of another state would be most effectively safeguarded by its sharing, on completely equal terms, with the coastal state in the regulating and control of fishing in such areas. We believe, further, that our position consorts with reason, with concepts of orderly procedure, and indeed with the serving of the respective interests of the countries concerned. We cannot, therefore, but feel that the Foreign Office, in expressing preference that we emphasize adherence to the principle of international control, has misapprehended our proposed policy in an essential respect.

I hope you will appreciate that, just as your comment was of a preliminary character, the observations appearing above address themselves only to one specific point rising out of your comment. I shall be glad to elaborate further on our position after the receipt of your anticipated detailed statement.

Yours sincerely,

E. DOOMAN

⁵⁶ Brackets appear in the original letter.

811.0145/6-2845

The Secretary of the Interior (Ickes) to the Secretary of State

WASHINGTON, June 28, 1945.

MY DEAR MR. SECRETARY: Over two years ago, on June 5, 1943, in a letter to the President,⁵⁷ I suggested that the Government consider asserting its jurisdiction and control over the resources of the continental shelf and to coastal fisheries under and in the high seas. Since then a great deal of time and effort have been spent by both our Departments in attempting to achieve that objective. You and I long ago agreed that Executive action should be taken to that end. We joined in a memorandum to President Roosevelt recommending such action, which he approved on March 31. Early in May, President Truman orally approved the policy and procedure set forth in that memorandum. The two months during which, according to the memorandum, your Department was to consult interested foreign governments and, upon the expiration of which, the necessary documents were to be submitted to the President, expired May 31.

On June 13, I signed a joint memorandum to the President⁵⁸ prepared for the signatures of the Secretaries of State and Interior and approved proposed proclamations and Executive orders. These papers were delivered to Assistant Secretary Acheson that day. It was our understanding in this Department that the signing and approval of these documents by Acting Secretary Grew was at this point a formality which, along with the submission of the papers to the President for his signature, would be speedily accomplished.

Despite all this, the papers have not as yet been signed by Acting Secretary Grew or submitted to the President. I should have supposed that the time for obstruction was over when two Presidents, to say nothing of the Secretary of State, have made a decision. I am sure that you will not think it unreasonable of me to ask that the proposed proclamations and Executive orders be submitted to the President for signature as soon as possible.

Sincerely yours,

HAROLD L. ICKES

811.0145/7-445

The Counselor of the British Embassy (Wright) to Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

Ref. 1852/8/45

WASHINGTON, July 4, 1945.

DEAR MR. DOOMAN: I sent a telegram to the Foreign Office giving the substance of your letter of 20th June about your statement "Pro-

⁵⁷ *Ante*, p. 1481.⁵⁸ Not printed; marginal notation on original, "Not sent".

posed Decision with respect to Fisheries in Certain Areas of the High Seas”.

The Foreign Office have now replied that, although they are still of the view that it would be better for the statement to remain unpublished, they would not express objection if it could be so amended as to make clear that the principles enunciated are only intended to apply to fisheries off the North American Continent. This would apply also to the explanatory remarks accompanying the text of the Proposed Decision, if it was your intention that these should also be made public.

As you have been good enough to let us see your proposed statement in advance, the Foreign Office have ventured to put forward a few suggestions as to ways in which changes of phrase might be made so that the releases will be less embarrassing to ourselves. In putting forward these suggestions, however, the Foreign Office indicate that they are advanced quite informally and that the United Kingdom Government do not wish to assume any responsibility for “editing” the United States Government’s statement.

Heading—add the words: “in the Western Hemisphere” after “high seas”.

Line 2—add the words: “in North American waters” after “resources”.

Lines 12 and 13—delete the words: “and may when conditions warrant be limited to the United States”.

Lines 19 and 20—delete the words “and may when conditions warrant be limited to”.

Line 21—add the word “American” after “any”.

His Majesty’s Government regards as reasonable the view that a state, which has alone been responsible for the development of a high sea fishery, has a right to expect that other countries will conform to the measures of control required to keep the fishery in a state of health, but whereas this view appears capable of application in practice in North American waters, it has no practical application in North European waters, where its official recognition by the United States Government as a principle of worldwide application would be hailed as an encouragement to the propagation of unjustifiable claims to coastal state control, which His Majesty’s Government must always resist. We hope, therefore, that you will agree to limit any statement which you may publish to North American waters, where for political and geographical reasons the problems involved appear to be less complex, and capable of solution on the lines laid down in your proposed statement.

Would you be kind enough to let me know in due course to what extent you are able to meet the wishes of His Majesty’s Government, as set out above.

Yours sincerely,

MICHAEL WRIGHT

811.0145/1-445

Memorandum of Conversation, by Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn)

[WASHINGTON,] July 5, 1945.

Mr. Cecil ⁶⁰ called on me this morning and handed me the attached letter ⁶¹ from Mr. Michael Wright, Counselor of the British Embassy. The letter requested that certain amendments be made to the proposed fishery policy with a view to meeting certain needs of the British position.

After reading the letter I told Mr. Cecil that matters had gone too far for us to consider making the changes proposed in the letter by Mr. Wright. It was my opinion however that we could effectively meet the points stressed in the letter by making appropriate observations in the press release which we anticipated making simultaneously with the publication of the policy statement.

I told Mr. Cecil that I was somewhat disappointed that the British Foreign Office had not quite gotten the point of the policy statement, and I gave him a fairly extended account of such problems as the Alaska salmon, the halibut fishery, and so on. I said that in these cases we found ourselves obliged to anticipate in some satisfactory manner probable threats to those important resources. I pointed out however that we knew of no condition in the North Sea which was in any way parallel to such cases as those I had just enumerated. So far as I knew, there was no fishing ground in the public waters of the North Sea which had been exclusively fished by the nationals of any one country; so that it might be said that all fishing grounds in the North Sea were of common interest to the countries operating in those waters. I therefore saw no reason for objection to the principle which we propose to follow in analogous cases over on our side: that is, through agreements between the United States and the foreign countries concerned.

Mr. Cecil said that while what I had said might be literally correct, there was some possibility of our principle being obliquely invoked by an ultra-nationalistic European country and used to support a claim to control over fisheries on the high seas by the coastal state. He therefore thought that it might be possible for us to make it clear in the statement of policy that we did not expect it to have application anywhere other than the waters in the Western Hemisphere. I told Mr. Cecil again that I thought we could put the matter in proper perspective in our proposed press release. I said that it was perfectly true that we had no direct interest in European fishing problems, but

⁶⁰ Robert Cecil, Second Secretary of the British Embassy.

⁶¹ *Supra.*

that I wished to make it clear that we were indirectly interested in such problems. It was quite possible that the North Sea fisheries might be depleted in a few years, in which case we would probably find Europeans fishing over on this side in numbers which might seriously affect our own resources.

I said that it was not our intention in any way to embarrass any European country but that nevertheless there were actual and potential threats to our resources which we could not overlook.

I reminded Mr. Cecil that I had told Sir George Sansom⁶² that some action might be expected on our part sometime in June. I said that our schedule had been somewhat disarranged by changes in the Presidency and in the Secretaryship of State, and that therefore I did not expect any action to be taken in the immediate future toward proclaiming the fishery policy.

I asked Mr. Cecil if any mention had been made by the Foreign Office of the continental shelf policy. He replied in the negative. He threw out the guess that the British Government had very little interest in the matter.

811.0145/6-2845

The Secretary of State to the Secretary of the Interior (Ickes)

WASHINGTON, July 5, 1945.

MY DEAR MR. SECRETARY: Your letter of June 28, 1945, to the Honorable Edward R. Stettinius, Jr., relating to the proposed proclamations and executive orders on the subject of the resources of the continental shelf and coastal fisheries has been brought to my attention.

As I am sure you will understand, this matter is new to me. I am impressed by the record of consideration and prior approval which the matter has had. I have been told of the meetings which the representatives of our two Departments have had with Senator O'Mahoney⁶³ and of the hearings which his Committee has held on the matter.⁶⁴

It would seem wise to me that before action is taken you and I should meet with Senator O'Mahoney, Senator Connally⁶⁵ and per-

⁶² See memorandum of conversation dated May 9, p. 1504.

⁶³ Joseph C. O'Mahoney of Wyoming.

⁶⁴ See *American Petroleum Interests in Foreign Countries*: Hearings before a Special Committee Investigating Petroleum Resources, United States Senate, 79th Cong., 1st sess., on S. Res. 36 (Washington, Government Printing Office, 1946).

⁶⁵ Tom Connally of Texas, Chairman of the Senate Foreign Relations Committee.

haps other Senators from the Foreign Relations and Public Lands Committee. I shall be glad to do this at any mutually convenient time.

Sincerely yours,

JAMES F. BYRNES

811.0145/7-545

Memorandum by the Legal Adviser (Hackworth) to the Secretary of State

[WASHINGTON,] July 5, 1945.

Subject: Coastal Fisheries and Resources of the Continental Shelf

At the discussion yesterday regarding the proposed issue of proclamations—one concerning the natural resources of the subsoil and seabed of the Continental Shelf, and another announcing a policy of the United States concerning coastal fisheries in certain areas of the high seas—you asked that I examine the provisions of the United Nations Charter ⁶⁶ for the purpose of determining whether the proposed policy might in some way run counter to such provisions or to the underlying aims and purposes.

The proposed proclamation:

The proposed proclamation concerning the natural resources of the subsoil and the seabed of the Continental Shelf declares it to be the policy of the United States to regard these natural resources beneath the seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control. It also states that in cases where the Continental Shelf extends to the shores of another State or is shared with an adjacent State, the boundary shall be determined by the United States and the State concerned.

Likewise, the proclamation declares that the character as high seas of the waters above the Continental Shelf and the right to their free and unimpeded navigation are in no way to be affected.

The second proposed proclamation states that in view of the pressing need for the conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or may be developed and maintained on a substantial scale; that where such activities have been developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly the bounded conservation zones in which all fishing activities shall be

⁶⁶ For text, see Department of State Treaty Series No. 993, or 59 Stat. (pt. 2) 1031.

subject to the regulation and control of the United States and may, when conditions warrant, be limited to the United States; and that where such activities have been legitimately developed and maintained by nationals of other States, explicitly bounded conservation zones may be established under agreements between the United States and such other States.

The right of any other State to establish conservation zones off its shores in accordance with these principles is conceded, provided that corresponding recognition be given to any fishing interests of nationals of the United States in such areas.

Here, as in the other proclamation, the character as high seas of the areas in which such conservation zones would be established and the right of free and unimpeded navigation are recognized.

It will thus be seen that the proclamations relate to economic matters, i.e., the development of natural resources in the subsoil areas of the Continental Shelf, and the conservation and development of fisheries in certain areas contiguous to our coasts.

The Charter of the United Nations:

Chapter I of the Charter of the United Nations states that one of the purposes of the United Nations is to achieve "international cooperation in the solving of international problems of an economic . . . character".

Chapter IX states that with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, the United Nations shall promote:

- a. Conditions of economic and social progress and development;
and
- b. Solutions of international economic and related problems.

Chapter X states that the Economic and Social Council may make or initiate studies and reports with respect to international economic matters, etc.

It will thus be seen that the Charter speaks of international cooperation in solving problems of an economic character, of promoting conditions of economic progress and development, of solutions of economic and related problems, and provides that the Economic and Social Council may make studies and reports on such matters. The language of the Charter is very general in character and in no wise inhibits or was intended to inhibit governments from taking independent steps to improve their economic condition. The proclamations here in question are designed to improve the economic conditions of the United States and its nationals. I see in them nothing that would be inconsistent with the provisions of the Charter.

Should other States consider that action taken by the United States under the proclamations infringes upon their rights and should a dispute result, the matter might conceivably be brought before the General Assembly or the Security Council, or both, or if the dispute were legal in character, it might be referred to the International Court of Justice.

I am therefore of the opinion that from the standpoint of the Charter action with respect to the proclamations need not be delayed.

GREEN H. HACKWORTH

811.0145/1-445

Mr. Eugene H. Dooman, Special Assistant to the Assistant Secretary of State (Dunn), to the Counselor of the British Embassy (Wright)

WASHINGTON, July 6, 1945.

DEAR MR. WRIGHT: We have read with much interest your letter of July 4, 1945 (Ref. 1852/8/45), which Mr. Cecil was good enough to bring in, and we have not failed to give it careful study. I made some comments to Mr. Cecil, the salient features of which I present below by way both of reply to your letter and of confirmation of what I said to Mr. Cecil.

The suggestions in your letter toward amending the proposed policy statement address themselves to two points: limitation of the policy of North American waters, and the refraining from limiting to American nationals fishing operations in areas contiguous to our coasts that have been developed by nationals of this country.

Let me say that we do not believe that it would be practicable to consider at this time a revision of the policy statement itself on the basis of such facts and arguments now available. However, we are prepared to make it clear in some other way that the policy is one which this Government proposes to pursue only in waters contiguous to the United States and in the waters in the Western Hemisphere in which the United States has a vested fishery interest. Probably the most appropriate means for that purpose would be the press release to be issued when the policy statement is published.⁶⁷

The second suggestion is one which I do not see our way clear to meeting. Let me explain. The salmon fisheries in Alaska, for example, have been developed exclusively by nationals of the United States. There have been attempts by foreigners to participate in these fisheries which, had they been allowed to continue, would inevitably have exhausted this important food resource. It would be wholly

⁶⁷ *Post*, p. 1528.

unrealistic if this Government, in seeking to establish new principles for the conservation of our fishery resources, were to give foreigners the impression that it would not assert preemptive control over such fisheries. As I said to Mr. Cecil, I cannot recall any situation in the North Sea or Eastern Atlantic which in any way parallels these fisheries or others which I could mention; and it would seem from the last paragraph but one of your letter that the British Government recognizes that this particular feature of our proposed policy could have no practical application in North European waters. If, therefore, it were invoked, in the North Sea let us say, the reasoning would have to be too oblique to be convincing.

We do not presume to tell other nations how they shall safeguard the resources of fishing areas in which we do not have a vested interest, but we cannot but be aware that the depletion of such resources will inevitably operate to put increased pressure on fishing areas that we have developed or in which we have operated over a substantial period of time. It is for that reason that we earnestly hope that effective regulations for the conserving of the resources of North European waters will be developed by agreement among the interested countries.

Sincerely yours,

E[UGENE] H. D[OOMAN]

811.0145/8-345

The British Embassy to the Department of State

His Majesty's Embassy present their compliments to the State Department and have the honour to invite their co-operation in the following matter.

2. Considerable interest has been displayed in recent years by oil companies in the possibility of finding oil in the shallow waters surrounding certain parts of the United States and certain islands in the British West Indies. The interest of these companies relates not merely to the sea bed within territorial waters but to those adjacent parts of the shallow sea bed beyond which are capable of being used for the exploration and exploitation of oil resources. Difficult questions may therefore arise in connection with the safe and orderly development of these oil resources and in measures to ensure that other legitimate enterprises, such as sponge fishing and local navigation, should not suffer as a result of oil drilling operations beneath the surface of the sea.

3. This problem has been under consideration by His Majesty's Government in relation to the shallow waters around the Bahamas

and the Turks and Caicos Islands and it appears that the circumstances are broadly similar to those which exist off certain coasts of the United States as, for example, in the Gulf of Mexico and around Florida. In all such cases it would appear desirable to endeavour to secure the safe and orderly development of any oil resources which may exist beyond but adjacent to territorial waters. If foreign persons or companies were to drill for oil on the shallow sea bed adjacent to United States territorial waters, United States authorities would no doubt find it objectionable if such companies were to claim that the United States Government had no right under international law to exercise jurisdiction over their operations. His Majesty's Government would likewise object if similar claims were made by companies engaged in operations in submarine areas adjacent to territorial waters of British West Indian possessions.

4. His Majesty's Embassy therefore suggest that such difficulties could be avoided if international arrangements were entered into whereby all jurisdiction over oil exploration and exploitation in drillable areas beyond and adjacent to the territorial waters of the United States should be exercised by the United States Government and, reciprocally, that similar operations in drillable areas beyond and adjacent to the territorial waters of the Bahamas, and of the Turks and Caicos islands which are dependencies of Jamaica, should be exercised by the Governments of these Colonies. While such a bilateral agreement may not provide a complete safeguard against attempts on the part of nationals of other countries to explore for or develop these resources independently, the existence of the agreement would, it is felt, minimise the risk of such attempts being made. It would appear to offer the only practical basis on which the problem could be tackled with a reasonable chance of success. If necessary a similar agreement might be concluded with Cuba, the only other country with territory in the area similarly placed. It is not of course desired to exclude nationals of other countries from participation in oil development in these submarine areas so long as they are prepared to conform to the regulations which the United States Government, or the British Colonial Government concerned or Cuba would prescribe for the areas which they respectively would control.

5. His Majesty's Embassy would be glad to discuss the point at issue in further detail with the competent authorities of the United States Government.

WASHINGTON, August 3, 1945.

811.0145/8-345

*Memorandum by the Deputy Assistant Secretary of State (Thorp)
to the Secretary of State*

[WASHINGTON,] August 17, 1945.

The attached file ⁶⁸ relates to certain proposed proclamations and executive orders on the subject of asserting jurisdiction and control over the subsoil and sea bed of the continental shelf beneath the ocean and contiguous to our coast. This objective appears to have general agreement within the government, including Presidential approval.

Under instructions from President Roosevelt, foreign governments were to be consulted about this before final action was taken, and the matter was brought to the attention of twelve governments. Except for Cuba, there has been no indication of their attitude, except for an informal adverse comment from the Canadian [Deputy] Minister of Fisheries.⁶⁹ The problem is whether we should proceed unilaterally on this matter or not. In the light of the present effort to use international cooperation whenever possible, it would seem more appropriate either to follow up the matter directly with the various governments, or to use the appropriate interested agency, the FAO,⁷⁰ as a means to develop an international policy. There is substantial pressure from the fisheries industry and the Department of Interior for prompt unilateral action.

There is one point at which the policy is not clear,—the extent to which it is a form of protectionism, keeping American fishing areas exclusively for Americans. Our fundamental principle in this area is that of equal access to resources. The program as outlined does not assure equal treatment to foreign nationals, although it is avowedly established as a conservation of resources program and not one of protection of American business interests. Many of the supporters of the program undoubtedly hope that it will serve the latter purpose. This seems inconsistent with the international economic program of reducing protective devices and eliminating trade restrictions. The principle of equal access can be incorporated in the program without disturbing the concept of jurisdiction over the continental shelf. It would greatly disturb some of the supporters of this program.

⁶⁸ Not printed; it included a comprehensive memorandum dated August 3 by the Director of the Office of International Trade Policy (Wilcox) to Mr. Thorp, setting forth in detail the objections of the International Trade Policy Division to the announcement of the new policy on coastal fisheries and the Continental Shelf. Mr. Thorp has condensed these objections in this memorandum to the Secretary of State.

⁶⁹ Dr. D. B. Finn whose "informal adverse comment" was recorded in a memorandum of July 27, 1945, by the Acting Assistant Chief of the Commodities Division (811.0145/6-1545).

⁷⁰ Food and Agriculture Organization of the United Nations.

811.0145/8-345

The Secretary of State to the Secretary of the Interior (Ickes)

WASHINGTON, August 27, 1945.

MY DEAR MR. SECRETARY: I refer to my letter of July 5, 1945, in which reply was made to your letter of June 28, 1945 to the Honorable Edward R. Stettinius, Jr., relating to the proposed Proclamations and Executive Orders on the subject of the resources of the Continental Shelf and Coastal Fisheries. You will recall my suggestion that before action is taken you and I should meet with Senator O'Mahoney, Senator Connally, and perhaps other Senators from the Foreign Relations and Public Lands Committees. Since talking with you Saturday my attention has been called to the fact that the Department has now received a note from the British Embassy, a copy of which is enclosed,⁷¹ putting forward the desirability of an international arrangement

"whereby all jurisdiction over oil exploration and exploitation in drillable areas beyond and adjacent to the territorial waters of the United States should be exercised by the United States Government and, reciprocally, that similar operations in drillable areas beyond and adjacent to the territorial waters of the Bahamas, and of the Turks and Caicos islands which are dependencies of Jamaica, should be exercised by the Governments of these Colonies."

It is further stated in the note that the British Embassy would be glad to discuss the matter in further detail with the competent authorities of this Government.

Conformably to the memorandum approved by President Roosevelt on March 31, and subsequently approved by President Truman, the draft statement of policy with regard to the mineral resources of the Continental Shelf was informally communicated by the Department to the Missions in Washington of the Governments assumed to be interested in the matter. A copy of the draft statement was handed to the British Embassy on May 9, 1945, and at that time an extended oral explanation of the views of this Government was made. The note under reference of the British Embassy does not advert directly to the draft statement above mentioned, but a careful study of the note would seem to warrant the conclusion that the British Government is now prepared to take a position wholly in line with the principles set forth in our draft statement of policy with regard to the resources of the Continental Shelf.

In addressing itself to the question of the character of the reply to be made to the British Embassy, the Department has considered whether it would be desirable to abandon the procedure previously

⁷¹ *Ante*, p. 1523.

envisaged, that is, that of proclaiming the United States position along the lines of the draft statement of policy, and entering into bilateral arrangements with interested countries such as that now proposed by the British Embassy. Another procedure, which the Department is inclined to favor, would be for the United States to proclaim its position and subsequently support such position by bilateral arrangements. In either case it would seem desirable first to obtain the views of the Senators previously mentioned.⁷²

I would appreciate receiving an expression of your views on this matter.

Sincerely yours,

JAMES F. BYRNES

811.0145/8-3145

The Second Secretary of the British Embassy (Cecil) to Mr. William Bishop, Assistant to the Legal Adviser (Hackworth)

Ref. 1852/13/45.

WASHINGTON, August 31, 1945.

DEAR MR. BISHOP: Mr. Dooman on leaving the State Department,⁷³ has suggested that I take up with you the correspondence ending with his letter of 6th July to Mr. Wright of this Embassy on the subject of the two Decisions on off-shore fisheries and sea-bed resources respectively, which the United States Government intends to announce.

As regards the second of these Decisions, namely, the "Proposed Decision with respect to Natural Resources of the Sub-soil and Sea-bed of the Continental Shelf", the Foreign Office has not hitherto offered any comment and we have now been asked to confirm that none will be forthcoming. At the same time His Majesty's Government do not wish to be associated with this Decision and would prefer that, when it is announced, no reference should be made to prior consultation with His Majesty's Government, either in the Decision itself or in any explanatory statement which may be issued.

Yours sincerely,

ROBERT CECIL

811.0145/9-1745

Memorandum by the Acting Secretary of the Interior (Fortas) to the Acting Secretary of State

WASHINGTON, September 17, 1945.

I am sending you a revised draft of the Executive order respecting resources of the continental shelf. You will note that I have added

⁷² Mr. Acheson, as Acting Secretary of State, met with Senator Connally on September 14. Discussions were held with Senator O'Mahoney prior to July 5.

⁷³ Mr. Dooman retired on August 31.

a new sentence at the end of the draft.⁷⁴ I hope that this sentence will serve to persuade some of the Senators that the proclamation is not designed to prejudice the claims of the States to submerged lands within or outside of the three-mile limit.⁷⁵

I am also sending you the original and two copies of the revised proclamation relating to "coastal fisheries".

I assume that you will arrange a conference with the President, and I shall await word from you.

ABE FORTAS

*Press Release Issued by the White House, September 28, 1945*⁷⁶

PROCLAMATIONS CONCERNING UNITED STATES JURISDICTION OVER
NATURAL RESOURCES IN COASTAL AREAS AND THE HIGH SEAS

The President issued two proclamations on September 28 asserting the jurisdiction of the United States over the natural resources of the continental shelf under the high seas contiguous to the coasts of the United States and its territories,⁷⁷ and providing for the establishment of conservation zones for the protection of fisheries in certain areas of the high seas contiguous to the United States.⁷⁸ The action of the President in regard to both the resources of the continental shelf and the conservation of high-seas fisheries in which the United States has an interest was taken on the recommendation of the Secretary of State and the Secretary of the Interior.

Two companion Executive orders⁷⁹ were also issued by the President. One reserved and set aside the resources of the continental shelf under the high seas and placed them for administrative purposes, pending legislative action, under the jurisdiction and control of the Secretary of the Interior. The other provided for the establishment by Executive orders, on recommendation of the Secretary of State and the Secretary of the Interior, of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States.

⁷⁴ Executive Order 9633, 10 *Federal Register* 12305. The sentence reads: "Neither this Order nor the aforesaid proclamation shall be deemed to affect the determination by legislation or judicial decree of any issues between the United States and the several states, relating to the ownership or control of the subsoil and sea bed of the continental shelf within or outside of the three-mile limit."

⁷⁵ In a letter dated September 18 to Senator Connally, the Acting Secretary of State wrote: "The matter about which you spoke with me has been explicitly cared for in the last sentence of the proposed executive order relating to the continental shelf." (811.0125/9-1845) Mr. Acheson had met with Senator Connally on September 14.

⁷⁶ Reprinted from Department of State *Bulletin*, September 30, 1945, p. 484.

⁷⁷ 10 *Federal Register* 12303.

⁷⁸ 10 *Federal Register* 12304.

⁷⁹ 10 *Federal Register* 12305.

Until the present the only high-seas fisheries in the regulation of which the United States has participated, under treaties or conventions, are those for whales, Pacific halibut, and fur seals.

In areas where fisheries have been or shall hereafter be developed and maintained by nationals of the United States alone, explicitly bounded zones will be set up in which the United States may regulate and control all fishing activities.

In other areas where the nationals of other countries as well as our own have developed or shall hereafter legitimately develop fisheries, zones may be established by agreements between the United States and such other states, and joint regulations and control will be put into effect.

The United States will recognize the rights of other countries to establish conservation zones off their own coasts where the interests of nationals of the United States are recognized in the same manner that we recognize the interests of the nationals of the other countries.

The assertion of this policy has long been advocated by conservationists, including a substantial section of the fishing industry of the United States, since regulation of a fishery resource within territorial waters cannot control the misuse or prevent the depletion of that resource through uncontrolled fishery activities conducted outside of the commonly accepted limits of territorial jurisdiction.

As a result of the establishment of this new policy, the United States will be able to protect effectively, for instance, its most valuable fishery, that for the Alaska salmon. Through painstaking conservation efforts and scientific management the United States has made excellent progress in maintaining the salmon at high levels. However, since the salmon spends a considerable portion of its life in the open sea, uncontrolled fishery activities on the high seas, by nationals of either the United States or other countries, have constituted an ever-present menace to the salmon fishery.

The policy proclaimed by the President in regard to the jurisdiction over the continental shelf does not touch upon the question of Federal versus State control. It is concerned solely with establishing the jurisdiction of the United States from an international standpoint. It will, however, make possible the orderly development of an underwater area 750,000 square miles in extent. Generally, submerged land which is contiguous to the continent and which is covered by no more than 100 fathoms (600 feet) of water is considered as the continental shelf.

Petroleum geologists believe that portions of the continental shelf beyond the three-mile limit contain valuable oil deposits. The study of subsurface structures associated with oil deposits which have been

discovered along the Gulf coast of Texas, for instance, indicates that corresponding deposits may underlie the offshore or submerged land. The trend of oil-productive salt domes extends directly into the Gulf of Mexico off the Texas coast. Oil is also being taken at present from wells within the three-mile limit off the coast of California. It is quite possible, geologists say, that the oil deposits extend beyond this traditional limit of national jurisdiction.

Valuable deposits of minerals other than oil may also be expected to be found in these submerged areas. Ore mines now extend under the sea from the coasts of England, Chile, and other countries.

While asserting jurisdiction and control of the United States over the mineral resources of the continental shelf, the proclamation in no wise abridges the right of free and unimpeded navigation of waters of the character of high seas above the shelf, nor does it extend the present limits of the territorial waters of the United States.

The advance of technology prior to the present war had already made possible the exploitation of a limited amount of minerals from submerged lands within the three-mile limit. The rapid development of technical knowledge and equipment occasioned by the war now makes possible the determination of the resources of the submerged lands outside of the three-mile limit. With the need for the discovery of additional resources of petroleum and other minerals, it became advisable for the United States to make possible orderly development of these resources. The proclamation of the President is designed to serve this purpose.

INTERNATIONAL WHALING CONFERENCE, LONDON, NOVEMBER 1945, AND PROTOCOL SIGNED NOVEMBER 26

[The Protocol signed at London on November 26, 1945, amended in certain particulars the international agreement for the regulation of whaling signed at London on June 8, 1937 (Department of State Treaty Series No. 933; 52 Stat. 1460), as amended by the Protocol signed at London on June 24, 1938 (Department of State Treaty Series No. 944; 53 Stat. 1794). On July 18, 1946, Secretary of State Byrnes submitted to President Truman a certified copy of the new Protocol, together with a report and other papers. On the following day the President transmitted the documents to the Senate, which on July 30 gave its advice and consent to ratification of the Protocol. The President ratified it on August 12, 1946, and on August 30 the United States deposited the instrument of ratification with the British Foreign Office. On February 10, 1947, the President proclaimed certain articles of the Protocol. For text, see Department of State *Bulletin*, August 11, 1946, page 284; Treaties and Other International Acts Series No. 1597, or 61 Stat. (pt. 2) 1213. For further documentation on the Protocols of 1937 and 1938, see *Foreign Relations*, 1937, volume I, pages 920 ff., and *ibid.*, 1938, volume I, pages 947 ff.]

1531

INTEREST OF THE UNITED STATES TO SECURE CO-
OPERATION AMONG INTERESTED GOVERNMENTS ON
MEASURES TO LIMIT AND CONTROL PRODUCTION
AND TO SUPPRESS ILLICIT TRAFFIC IN OPIUM ¹

511.4A5/1-1345

*Memorandum by the Chief of the Division of International Labor,
Social, and Health Affairs (Mulliken) to the Under Secretary of
State (Grew)*

[WASHINGTON.] February 3, 1945.

This memorandum has been prepared for background purposes in connection with the request of Congressman Walter H. Judd of Minnesota to have a conversation with you ² in regard to the failure to date of certain countries to reply to the memoranda sent to them pursuant to the Judd Resolution. As you know, this resolution requests the President to urge upon the Governments of those countries where the cultivation of the poppy plant exists the necessity of immediately limiting the production of opium to the amount required for strictly medicinal and scientific purposes.

At the suggestion of, and after persistent urging by, Mrs. Hamilton Wright,³ Mr. Judd introduced H. J. Res. 241 in the House of Representatives on February 27, 1944. After passing both Houses of Congress unanimously, the resolution was approved by the President on July 1, 1944.⁴

Action by the Department

In compliance therewith, the Department forwarded, on August 21, 1944 to its missions near the Governments of the opium-producing countries with which the United States has friendly relations, the texts of the resolution and of draft memoranda with the request that they be transmitted, in such manner as the missions may consider appropriate, to those Governments, namely, the Afghan, British,

¹ For previous documentation, see *Foreign Relations*, 1944, vol. II, pp. 1068 ff. For additional information, see Philip M. Burnett, "International Bodies for Narcotics Control," Department of State *Bulletin*, October 14, 1945, pp. 570-574.

² Memorandum of conversation, February 5, 1945, not printed.

³ Elizabeth Washburn Wright, lecturer on opium problems.

⁴ Public Law 400, 58 Stat. 674.

Chinese, Iranian, Mexican, Soviet, Turkish and Yugoslav Governments.⁵

In the memoranda, this Government stated that it was prepared to cooperate with all nations in efforts to solve the opium problem and that it hoped that all opium-producing countries would be willing to participate in a conference, expected to be held after the war, for the purpose of drafting a suitable poppy limitation convention. Pending the entering into effect of an international poppy limitation convention, this Government suggested to all the above-mentioned Governments, except China and Mexico, which have already prohibited the cultivation of the opium poppy, that they give consideration to the advisability of announcing at the earliest possible moment that they will hereafter prohibit the production and export of opium for other than strictly medicinal and scientific requirements. It also suggested that they take effective measures to prevent illicit production of opium in their territories and illicit traffic in opium from their territories.

This Government also asked the Governments of the opium-producing countries for their observations in regard to certain provisions which this Government has suggested be incorporated in the proposed poppy limitation convention.

In the memorandum intended for the Government of Iran, this Government urged the Iranian Government to give immediate consideration to the problem of surplus opium in Iran with a view to its control or elimination as soon as possible, as a means of protecting the health of the American soldiers and merchant seamen who are now in that country. Copies of that memorandum were forwarded to the American Embassies at London and Moscow for use as enclosures to the memoranda which those Embassies were to transmit to the British and Soviet Foreign Offices, respectively. In the memoranda to the British and Soviet Foreign Offices, it was suggested that the British and Soviet Governments make appropriate representations to the Iranian Government along the lines of this Government's proposed representations to that Government.

In a letter dated September 2, 1944 ⁶ Mr. Judd suggested that the Department of State request the British and Soviet Governments "to collaborate with this Government in strong joint protests to the Governments of certain opium-producing nations such as Iran where

⁵ See instruction 4468 to London, August 21, 1944, and footnote 34, *Foreign Relations*, 1944, vol. II, p. 1094; see also *ibid.*, p. 1091, footnote 28. For exchanges of notes on this subject, see Department of State *Bulletin*, December 10, 1944, pp. 725-727 (Afghanistan); *ibid.*, May 13, 1945, pp. 911-912 (Mexico); *ibid.*, June 3, 1945, pp. 1031-1032 (China); *ibid.*, July 8, 1945, pp. 63-69 (Turkey); *ibid.*, July 22, 1945, pp. 129-131 (U.S.S.R.); *ibid.*, February 17, 1946, pp. 237-244 and 261 (United Kingdom).

⁶ *Foreign Relations*, 1944, vol. II, p. 1102.

large numbers of troops from these allied countries are now stationed and constantly exposed to opium addiction because of the large quantities of the drug which are freely obtainable there." The Department replied⁷ that inasmuch as this Government had already suggested separate representations, it was not in a position to suggest that joint representations be made.

On October 19, 1944 the Department requested the American Embassy at Tehran to make a comprehensive survey of all phases of the opium situation in Iran and to present a report including recommendations.⁸ The Department also requested the Ambassador to seek an interview with the Iranian Foreign Minister⁹ and forcibly impress upon him the determination of the United States Government and people to urge all opium-producing countries to limit the production of opium to medicinal and scientific requirements. It was suggested that the Ambassador point out that in the postwar period Iran could probably obtain a share of the world's legal trade in opium, amounting to about 125,000 kilograms a year, and that this share could probably be guaranteed by the inclusion of Iran in a sales agreement similar to that which existed between Turkey and Yugoslavia before the war.

Response to the Department's action.

The present situation in regard to this Government's representations pursuant to the Judd Resolution is as follows:

The Afghan Foreign Office, in a note dated November 11, 1944,¹⁰ informed the American Embassy at Kabul that the Afghan Council of Ministers had passed a resolution prohibiting the cultivation of opium in Afghanistan as from March 21, 1945.

The American Embassy at Tehran reported on November 17, 1944¹¹ that the Department's memorandum and its enclosures were forwarded to the Iranian Ministry for Foreign Affairs on September 20, 1944 but that no reply had been received. The Embassy also reported that a copy of the memorandum had been sent to Dr. A. C. Mills-paugh¹² with a request that he present his comments thereon, but that no reply had been received.

The American Embassy at London reported¹³ that it forwarded the Department's memorandum and its enclosures to the British Foreign Office on September 8, 1944, that it sent a follow-up to the Foreign Office on December 29, 1944, requesting a reply to its communication

⁷ Letter dated September 15, 1944, *Foreign Relations*, 1944, vol. II, p. 1103.

⁸ See instruction 23 to Tehran, *ibid.*, p. 1104.

⁹ Muhammed Saed Maraghei.

¹⁰ Department of State *Bulletin*, December 10, 1944, p. 727.

¹¹ Not printed.

¹² Financial Administrator of Iran.

¹³ Airgram 38 from London, January 13, 1945, not printed.

of September 8, 1944, and that the Foreign Office responded: "The matter with which it deals is under active consideration in London and it has been necessary to consult the Governments of India and Burma. I hope it will be possible for us to let you have a reply to transmit to the State Department within a very short time."

The American Embassy at Moscow reported on November 3, 1944 ¹⁴ that a note received from the Soviet Foreign Office stated that the question of a postwar conference and of the terms which might be included in a convention for restricting the cultivation of poppies is being studied by the competent Soviet authorities at the present time.

No mention was made by either the British or Soviet Governments of willingness to make representations to the Iranian Government.

The Chinese, Mexican, Turkish and Yugoslav Governments have as yet made no response to the Department's memoranda.

Opium situation in the principal opium-producing countries.

A brief summary of the opium situation in the principal opium-producing countries is set forth below.

Opium is being produced in the occupied and unoccupied parts of China. It may be a long time before the production of opium in China can be completely eliminated even though strong efforts are made to enforce present laws prohibiting the cultivation of the opium poppy.

The Mexican Government is constantly combating illicit production of opium.

The Turkish Government has for some time limited production of opium to legitimate requirements. It will undoubtedly further limit production strictly for medicinal and scientific purposes if the use of smoking opium in the Far East is entirely prohibited.

The Yugoslav and Soviet Governments have for some time limited opium production to medicinal and scientific requirements.

The Iranian Government produces about 600,000 kilograms of opium annually, nearly all of which at the present time is being consumed in Iran to satisfy drug addiction.

India is producing about 300,000 kilograms of opium annually, nearly all of which is consumed in India by drug addicts. Burma's entire production of about 18,000 kilograms of opium annually is used for smoking or eating.

Danger to American military personnel in India and Iran.

On August 26, 1944 the Department instructed the American Mission at New Delhi ¹⁵ to investigate the sale of narcotics to members

¹⁴ Telegram 4222, *Foreign Relations*, 1944, vol. II, p. 1106. A further statement reiterating the above message was received from Moscow on February 14, 1945, not printed.

¹⁵ Instruction 217, *ibid.*, p. 1101.

of the American armed forces in India and, if the situation warranted, to make representations to the Government of India with a view to prohibiting the sale of opium and hemp drugs to American military personnel. The Mission stated in a despatch dated November 16, 1944¹⁷ that reports on the subject had been received from the consular offices at Calcutta, Bombay, Karachi and Colombo, in addition to a detailed report prepared by the American Army authorities. In the opinion of the Mission the information contained in these reports did not warrant representations to the Government of India. The Mission further stated that the reports indicated that despite the easy availability of dangerous drugs in India, addiction among American military personnel was rare and did not appear to be spreading.

Although opium is readily available in Iran, a report dated February 29, 1944 from Headquarters, U.S. Army Persian Gulf Command, Tehran, stated that an investigation conducted by Provost Marshals, medical officers, censors and other persons, as well as the British FSS and CICI disclosed that little evidence was obtained to support the statement that there is considerable use of opium by American soldiers in Iran.

Further action

In view of the fact that American troops are being stationed only temporarily in Iran and India and that it does not appear that many of them have become infected with drug addiction, it would not appear that this Government is in a position to make more forceful representations than have already been made.

The Embassies at London and Tehran can be counted upon to follow the matter closely and to obtain replies from the British and Iranian Governments as quickly as possible.

We are informed that Mrs. Hamilton Wright is responsible for Mr. Judd's request for a conference to discuss this matter with you.

There is attached hereto a copy of the Judd Resolution.

891.114 Narcotics/8-1745 : Telegram

The Ambassador in Iran (Murray) to the Secretary of State

TEHRAN, August 17, 1945—3 p. m.
[Received August 17—10:12 a. m.]

621. Deptel 406, August 7, Embtel 613, August 12.¹⁸ Discussed opium matters for 2 hours August 13 with Foreign Minister and Minister Finance.¹⁹ I presented our views regarding limitation, con-

¹⁷ Despatch 870, *Foreign Relations*, 1944, vol. II, p. 1107.

¹⁸ Neither printed.

¹⁹ Anushiravan Sepahbodi and Mahmoud Bader, respectively.

trol, desirability of convening a poppy limitation conference in the near future, possibility of Iran joining with Turkey and Yugoslavia in a new opium agreement, et cetera. Minister Finance who is the Cabinet Minister officially concerned with opium production and sales was present at my personal request and his presence and helpful attitude greatly facilitated progress of discussions.

While unable due to governmental situation to promise anything at this time requiring Majlis ²⁰ action Mr. Bader agreed to take following steps:

1. To seize first suitable occasion possibly an early meeting of the Anti-Opium Society to make formal address placing Government squarely on record as favoring (a) early ratification of 1925 Geneva Convention ²¹ (b) action curtailing opium production in Iran and (c) participation by Iran in proposed post-war poppy limitation conference. Mr. Bader stated that he would make his address so strong that succeeding governments would find it extremely difficult if not impossible to recede from position taken. (The Embassy is to furnish him with memorandum covering the points which it believes might well be brought out in his address.)

2. As Minister of Finance having jurisdiction over the opium monopoly to take such steps as may be possible without Majlis action to put into effect as regards foreign sales system of import-export certificates set forth in Chapter V of the 1925 Convention.

3. To see that steps are taken immediately to tighten up Government controls at warehouses and ports with a view to curtailing as far as possible illicit trade in opium.

4. To reconsider as soon as the Government's present commitments have been met action of his predecessor in doubling price paid by Government to opium growers.

5. To endeavor to have legislation passed restricting cultivation of poppies to those areas in which Government would be best able to control cultivation.

6. To propose that the Government again approach Turkey regarding possibility of Iran joining with Turkey and Yugoslavia in a three cornered revival of opium agreement previously in force as between latter two countries.²² (He promised to let us know when and if discussions were about to be initiated so that we could then take such supporting action as we considered desirable and possible.)

7. To endeavor to expedite action by Iran Government on proposals contained in memorandum received with the Department's instruction No. 472 of August 19, 1944 and transmitted to ForOff with Embassy's note of September 20.²³ (I took occasion to point out to him favorable

²⁰ The Iranian Parliament.

²¹ Signed February 19, 1925, League of Nations Treaty Series, vol. LXXXI, p. 317. For documentation regarding American participation in this narcotics conference at Geneva, see *Foreign Relations*, 1924, vol. I, pp. 89 ff. For withdrawal of the American delegation from the Conference, see letter from the Chairman of the delegation, *ibid.*, p. 125.

²² Signed at Belgrade, December 17, 1934, League of Nations Treaty Series, vol. CLXXVIII, p. 471.

²³ See draft memorandum and footnote 28, *Foreign Relations*, 1944, vol. II, p. 1091.

response which we recently received from Turkish Government in this connection and left a copy of text of exchange of notes ²⁴ with him for his consideration.)

8. To take immediate steps to insure that Director of the opium monopoly will in the future furnish Embassy and Consulate information which they require periodically for preparation of reports on opium situation. (This official has never been very cooperative and this cooperation has recently been practically nil.)

On the whole I regard results of our talk as encouraging. We have received promises before, however, and it remains to be seen to what extent Mr. Bader will be able to make good on this. Embassy will press him from time to time for information regarding progress achieved and will keep Department informed of results.

MURRAY

891.114 Narcotics/9-1945

The Secretary of State to the Ambassador in Iran (Murray)

No. 288

WASHINGTON, November 13, 1945.

SIR: Reference is made to your despatch no. 95 of September 19, 1945,²⁵ transmitting an English translation of portions of a recent address by Mr. Mahmoud Bader, Minister of Finance, on the policy of the Iranian Government regarding opium.²⁶

The statements made by Mr. Bader putting the Iranian Government on record on certain phases of this subject are appreciated and are helpful in moving toward a solution of the problem. The Department is pleased that the Minister of Finance has made an address on opium, that he has presented a bill to the Majlis providing for the ratification of the Geneva Drug Convention of 1925, and that he has issued instructions on the control of exports. It is regretted that he did not also present a bill providing for the ratification of The Hague Opium Convention of 1912 without reservation as to article 3a.

The Department does not feel, however, that it should at this time give publicity to and congratulate the Iranian Government on the position now taken, as there is no visible manifestation of any positive action. The formal reply of the Iranian Government to the Embassy's note pursuant to the Judd Resolution is still being awaited. Upon receipt of that reply and with the consent of the Iranian Government, the Department proposes to publish in the "Department of State Bulletin" the text of the exchange of notes. It is hoped that

²⁴ For texts of notes of September 22, 1944, and May 14, 1945, see Department of State *Bulletin*, July 8, 1945, pp. 63 and 65, respectively.

²⁵ Not printed.

²⁶ Delivered in Tehran on August 26 at a meeting of the Anti-Opium Society.

the Iranian Government in its reply will set forth clearly its position on the question of the limitation of the production of opium.

The Treasury Department and this Department are still interested in having information on the subjects listed in the first paragraph of the Department's telegram no. 406 of August 7, 1945.²⁷ Mr. Bader failed to disclose whether the Iranian Government has complete statistics or will establish a system whereby accurate information can be obtained in regard to opium production, stocks, exports and consumption. If the Embassy itself has been able to obtain information concerning the first nine topics listed in the above-mentioned telegram, the Department would be glad to receive it.

With regard to Mr. Bader's instructions concerning the export of opium from Iran, the Embassy may wish to inquire of him whether in future he proposes to issue export permits only on the basis of import permits signed by authorized authorities. In the opinion of American narcotics authorities this is far more important than the matter of merely taking care to see that each export is covered by an export permit. From information in their possession, the American authorities believe that Iran on many occasions between 1933 and 1940 made shipments to the Far East on the basis of import permits issued by persons who were not charged in their countries with the responsibility of issuing import permits. Although request has been made of the Iranian Government for permission to see the import permits on which the Iranian Government made export shipments, that Government has never consented to produce the import permits from its records for examination.

[Here follow additional comments on Mr. Bader's speech before the Anti-Opium Society.]

The Department is pleased with the forceful manner in which you have drawn the attention of the Iranian Government to the opium problem. It trusts that you will continue to keep the subject before the Iranian authorities. The Department, in particular, desires that you again urge the Iranian authorities to make a reply without further

²⁷ Not printed; the first paragraph requested information on the following aspects of Iranian opium: production, 1940-45; quantity in possession of the Government and farmers; exports, 1940-45; control of opium in international trade by use of import-export permits; extent of addiction and quantity of opium consumed in Iran; measures to enforce narcotics laws; the system of licensing smokers and eaters of opium; smuggling and steps taken to prevent it; the cost and time required to shift from producing opium to other products; attitude toward joining the Turkish-Yugoslav opium agreement; and attitude toward the Judd Resolution (891.114 Narcotics/3145).

delay to the Embassy's note of September 20, 1944²⁹ pursuant to the Judd Resolution, and that you continue to endeavor to obtain from the Iranian Government a statement regarding its willingness to become a party to the Turkish-Yugoslav Opium Sales Agreement. You may point out that if Iran were to be included in that agreement, Iran would be accorded a definite share of the international opium market and would be assured of a fair price for its opium.

Very truly yours,

For the Secretary of State:
WILLIAM L. CLAYTON

[Participation by the United States in cooperative efforts for international control of the traffic in and suppression of the abuses of opium and other dangerous drugs had continued at the United Nations Conference on International Organization, San Francisco, April 25-June 26, 1945.³⁰ There, with regard to the establishment of a United Nations Economic and Social Council, the United States delegation went on record as hoping that the Organization would be entrusted with supervision over the execution of existing or future international agreements with regard to the control of the legitimate traffic in opium and other dangerous drugs, and the suppression of illicit traffic in and abuse of such drugs; that there should be established an advisory body to advise directly the Economic and Social Council on these matters; and that the existing agencies be regarded as autonomous agencies to be related directly to the Economic and Social Council.³¹

Subsequently, the Commission on Narcotic Drugs was created on February 18, 1946, by the United Nations Economic and Social Council.³²]

²⁹ The note of September 20, 1944, to the Iranian Ministry for Foreign Affairs was not answered. However, on April 10, 1946, the Iranian Government issued a decree forbidding cultivation of the opium poppy after the harvesting of that year's crop. The Iranian Government, on June 26, 1946, made it unlawful to use opium and as of November 22, 1946, prohibited its sale to the public. In a conversation with an officer of the Embassy on November 22, 1948, the Iranian Prime Minister stated that henceforth Iran would export opium for medicinal purposes only and prohibit all exports of opium to the Far East. On March 19, 1949, a decree of the Iranian Council of Ministers revoked the prohibition of April 10, 1946, but limited opium production to local and international scientific and medical requirements. This was followed, later, by the enactment of legislation by the Majlis on October 7, 1955, under which the cultivation of the opium poppy was banned.

³⁰ For documentation on the San Francisco Conference, see vol. I, pp. 1 ff.

³¹ Department of State Conference Series No. 71, June 26, 1945: *Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, The Secretary of State*, p. 122.

³² *Journal of the Economic and Social Council*, No. 12, pp. 129-130. See also George A. Morlock, "International Control of Dangerous Drugs; Preview of Commission on Narcotic Drugs", *Department of State Bulletin*, November 17, 1946, pp. 885-888.

PARTICIPATION OF THE UNITED STATES IN THE RUBBER STUDY GROUP

[For previous documentation, see *Foreign Relations*, 1944, volume II, pages 950 ff. The first meeting in 1945 of the Rubber Study Group was held at Washington, January 22-27, 1945, with delegates present representing the Governments of the Netherlands, the United Kingdom, and the United States. The second meeting, with delegates from France also taking part, was held at London, November 19-23, 1945. For summaries of these meetings, see Department of State *Bulletin*, February 4, 1945, pages 161-162, and November 25, 1945, pages 840, 872; for additional details, see Department of State, *Participation of the United States Government in International Conferences, July 1, 1941-June 30, 1945*, pages 154-156, and *ibid.*, *July 1, 1945-June 30, 1946*, pages 27-29.]

PARTICIPATION OF THE UNITED STATES IN THE WORK OF THE INTERNATIONAL WHEAT COUNCIL

[For previous documentation, see *Foreign Relations*, 1942, volume I, pages 501 ff. For a summary of the Eighth and Ninth Sessions of the International Wheat Council, held at London, August 31–September 1, 1945, see Department of State, *Participation of the United States Government in International Conferences, July 1, 1945–June 30, 1946*, page 21.]

PARTICIPATION OF THE UNITED STATES IN THE
FOURTH MEETING OF THE INTERNATIONAL COTTON
ADVISORY COMMITTEE, APRIL 2-14, 1945

[The International Cotton Advisory Committee was established in accordance with the recommendations of the International Cotton Conference held in Washington in September 1939 for the purpose of keeping the interested countries abreast of the developments in the world cotton situation and of suggesting practicable measures from time to time for international collaboration in the solution of world cotton problems. Meetings were held on April 1 and October 17, 1940, and on April 11, 1941, and were then suspended because of wartime conditions. For information on the fourth meeting, held at Washington, see Department of State *Bulletin*, April 1 and 22, 1945, pages 545 and 772-773, and Department of State, *Participation of the United States Government in International Conferences, July 1, 1941-June 30, 1945*, pages 173-174.]

PARTICIPATION OF THE UNITED STATES IN INTERNATIONAL SCIENTIFIC MEETINGS

[For summaries of the meetings of the Executive Committee of the International Council of Scientific Unions (held at London, December 4-5, 1945) and of the International Union of Geodesy and Geophysics (Oxford, December 10-14, 1945), see Department of State, *Participation of the United States Government in International Conferences, July 1, 1945-June 30, 1946*, pages 155-158.]

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¹ In indexing persons the intention has been to include all references to persons of significance for an understanding of the record, with the following exceptions: (1) The name of the Secretary of State or the Acting Secretary of State appearing as the signer of outgoing instructions unless there is a clear indication of the Secretary's or Acting Secretary's personal interest; (2) the name of an American officer in charge of a mission appearing as the signer of reports to the Department of State, except for personal items; (3) the names of persons to whom documents are addressed.

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